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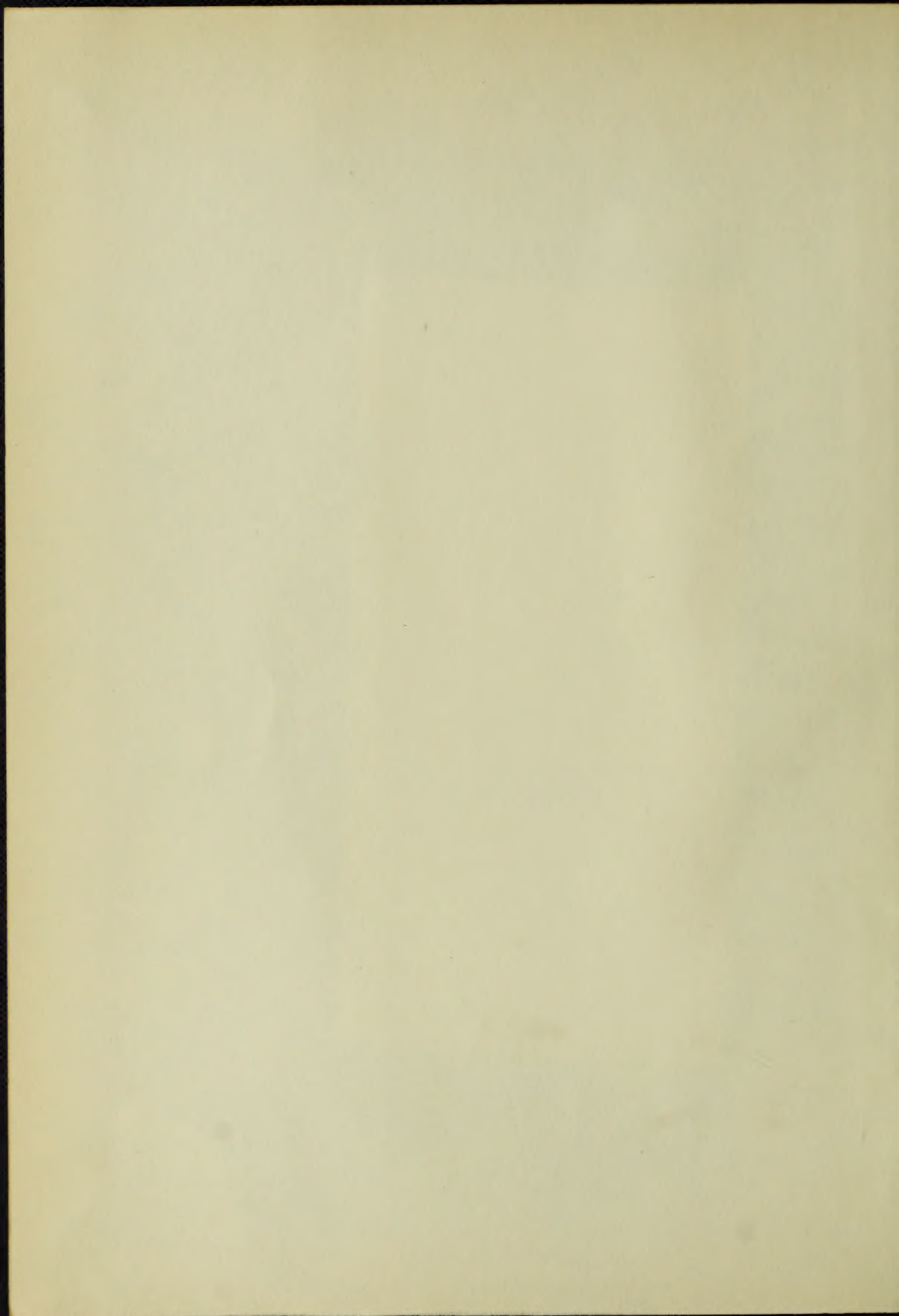
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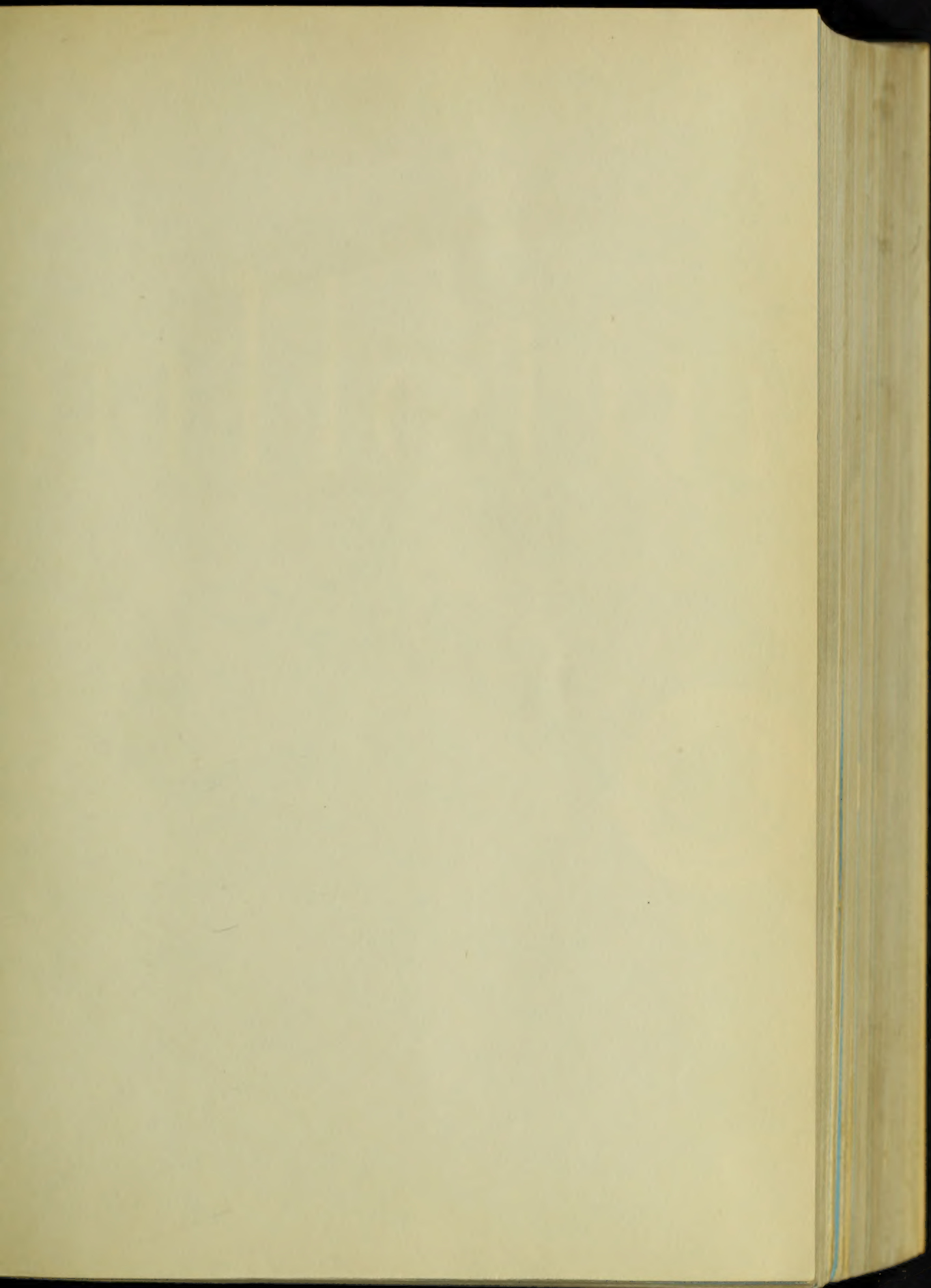
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bulletin

Vol. XIX, No. 470
July 4, 1948

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The Department of State BULLETIN, a weekly publication compiled and edited in the Division of Publications, Office of Public Affairs, provides the public and interested agencies of the Government with information on developments in the field of foreign relations and on the work of the Department of State and the Foreign Service. The BULLETIN includes press releases on foreign policy issued by the White House and the Department, and statements and addresses made by the President and by the Secretary of State and other officers of the Department, as well as special articles on various phases of international affairs and the functions of the Department. Information is included concerning treaties and international agreements to which the United States is or may become a party and treaties of general international interest.

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VOTING IN THE SECURITY COUNCIL

by Bernhard G. Bechhoefer

I. Meaning of the term "Veto"

The term "veto" is not found in the Charter. It refers to the requirement of unanimity among the permanent members of the Security Council in decisions on questions not procedural in character. Voting provisions permitting a veto appear in one, and only one, of the organs of the United Nations—the Security Council.

The veto, in other words, does not apply to decisions of any other organ of the United Nations: the General Assembly, the Economic and Social Council, the Trusteeship Council, or the International Court of Justice. It does not apply to decisions of the numerous subsidiary organs of the United Nations.

Article 27 of the Charter reads as follows:

"1. Each member of the Security Council shall have one vote.

"2. Decisions of the Security Council on procedural matters shall be made by an affirmative vote of seven members.

"3. Decisions of the Security Council on all other matters shall be made by an affirmative vote of seven members including the concurring votes of the permanent members; provided that, in decisions under Chapter VI, and under paragraph 3 of Article 52, a party to a dispute shall abstain from voting."

That is, under paragraph 3 of article 27 of the Charter, the concurrence of the United States, the United Kingdom, the U.S.S.R., France, and China is required for nonprocedural decisions. Thus, any of these states may veto a decision of this nature by voting against it.

In the Security Council itself, the veto does not apply to every decision. Procedural decisions are taken by a vote of any seven members. Furthermore, in a Security Council decision in connection

with the pacific settlement of a dispute, a member of the Security Council which is a party to a dispute is required to abstain from voting. Finally a Security Council practice has developed under which, if a permanent member of the Security Council abstains from voting on a nonprocedural decision of the Council, such abstention is not considered to be a veto.

At the same time, it should be noted that nonprocedural decisions require seven votes, two of which, obviously, must be cast by nonpermanent members. There are six such members. Accordingly, if as many as five of these vote *no* on a nonprocedural decision, they can exercise a veto in fact as effective as a veto cast by a permanent member.

II. Origin of the Veto

At the Dumbarton Oaks conference in 1944, which originated the proposals which became the basis of the Charter of the United Nations, there was considerable discussion on the problem of voting in the Security Council. No agreement was reached. The Dumbarton Oaks proposals contained the following note on this subject:

"The question of voting procedure in the Security Council . . . is still under consideration."¹

In December 1944, and January 1945, in order to resolve the voting question undecided at Dumbarton Oaks, the United States made certain proposals which were agreed to at the Yalta conference in February 1945 by Prime Minister Churchill and Marshal Stalin. They were then incorporated into the Charter of the United Nations as article 27. Although it is true that the United States offered the Yalta formula, this proposal was submitted as a compromise and the veto, as provided

¹ BULLETIN of Oct. 8, 1944, p. 370.

therein, was less stringent than originally desired by the U.S.S.R. which would have extended even to voting by a permanent member in a dispute to which it was a party.

At the San Francisco conference in May and June 1945, which adopted the Charter of the United Nations, the proposed voting formula was sharply criticized by many of the smaller states. Such criticisms were of two types. In the first place, the smaller states contended that the formula was ambiguous. They therefore submitted to the Great Powers a questionnaire intended to clarify the ambiguities. In response to this questionnaire the United States, the U.S.S.R., the United Kingdom, and China prepared the so-called Four Power Statement of June 7, 1945,² which was a "statement" by these countries "of their general attitude towards the whole question of unanimity of the permanent members in the decisions of the Security Council". The United States believed that the Four Power Statement, in fact, would clarify the voting formula and that as a result of the attitudes expressed in that statement, the veto would not, in fact, present a serious problem once the Security Council commenced its operations. However, as will be pointed out subsequently, the U.S.S.R. has interpreted the Four Power Statement in a manner which has resulted in seriously diminishing the effectiveness of the Security Council.

The second objection raised by the smaller states to the Yalta proposals concerned the existence of a veto in connection with Security Council decisions under chapter VI of the Charter (peaceful settlement of disputes). At San Francisco, it was conceded by substantially all states, large and small, that a veto was essential under chapter VII of the Charter. The following statement of the Secretary of State, in his report to the President on the San Francisco conference as to the basis of the veto was, in fact, the view of practically all states in the conference as well as the United States:

"This war was won not by any one country but by the combined efforts of the United Nations, and particularly by the brilliantly coordinated strategy of the Great Powers. So striking has been the

² For the statement by the delegations of the four sponsoring governments, subsequently adhered to by France, see *BULLETIN* of June 10, 1945, p. 1047.

³ Department of State publication 2349, p. 66. Italics are the present author's.

lesson taught by this unity that the people and Government of the United States have altered their conception of national security. We understand that in the world of today a unilateral national policy of security is as outmoded as the Spads of 1918 in comparison with the B-29 of 1945 or the rocket planes of 1970. We know that for the United States—and for other great powers—there can be no humanly devised method of defining precisely the geographic areas in which their security interests begin or cease to exist. We realize, in short, that peace is a world-wide problem and the maintenance of peace, and not merely its restoration, *depends primarily* upon the unity of the great powers."³

However, a substantial number of states felt that the veto should not be extended to chapter VI where the Security Council was not using enforcement measures but was acting rather in a mediating capacity. Australia proposed an amendment to the voting formula which would have eliminated the veto under chapter VI. Despite the opposition of all the great powers, the Australian amendment received 10 affirmative votes—Australia, Brazil, Chile, Colombia, Cuba, Iran, Mexico, the Netherlands, New Zealand, and Panama, making it apparent that even at San Francisco there was strong opposition to the veto under chapter VI. However, it must be emphasized that there was no support at San Francisco for the elimination or restriction of the veto under chapter VII of the Charter.

In the Four Power Statement of June 7, 1945, the United States, the U.S.S.R., the United Kingdom, and China stated (part 1, paragraph 8):

"In other words, it would be possible for five non-permanent members as a group to exercise a 'veto'. It is not to be assumed, however, that the permanent members, any more than the non-permanent members, would use their 'veto' power fully to obstruct the operation of the Council."

It thus was understood that the veto would be used sparingly and only in connection with the most important of issues. Unfortunately, this expectation has not come to pass.

III. Experience of the Veto in the Security Council

The veto has been used in the Security Council on at least 24 occasions (as of June 25, 1948), at least 23 times by the U.S.S.R., with France joining with the U.S.S.R. in connection with one of

the vetoes, and once by France alone. In computing the number of votes, a negative vote of a permanent member is deemed a veto only when the resolution receives at least seven affirmative votes and fails solely because of such negative vote. Furthermore each of the so-called "double vetoes" is counted as one rather than as two vetoes. Eleven of these vetoes have been in connection with applications of states for membership in the United Nations. At least nine have been in connection with decisions relating to pacific settlements of disputes (chapter VI) and four, including the French veto, have been taken under chapter VII. The significance of the vetoes lies less in their number than in their nature.

In connection with most of the U.S.S.R. vetoes on membership applications, the U.S.S.R. did not even claim that the states lacked the qualifications of membership as set forth in article 4 of the Charter, but based its opposition on purely political grounds.

In connection with three of the vetoes dealing with pacific settlement of disputes (two in the Spanish case and one in the Syria-Lebanon case), the U.S.S.R. actually agreed with the proposed Security Council action as far as it went but vetoed the proposals because the U.S.S.R. felt that they should go farther.

Three of the vetoes were exercised in decisions as to whether a question required only a procedural vote,⁴ thus broadening the scope of the veto in the Security Council to include decisions which the majority of the Security Council considered procedural and not subject to the veto. In this connection, the U.S.S.R. has attempted, by its interpretation of certain language in the Four Power Statement, to make virtually any decisions of the Security Council subject to the veto despite the express language of article 27, paragraph 2.

It should be noted that none of these abuses of the veto relate to chapter VII of the Charter. They concern (a) applications for membership under chapter II, article 4, (b) chapter VI of the Charter, and (c) the method of determining whether the voting procedure permitting a veto is applicable to a given decision. The existence of a veto under chapter VII has not to date materially interfered with the functioning of the Security Council. However, the abuse of the veto in membership matters and under chapter VI has been serious.

July 4, 1948

IV. Basic Differences Between Veto Under Chapter VI and Chapter VII

It may be asked why the United States is prepared to give up the veto under chapter VI and not under chapter VII. There are a number of answers: First, as set forth above, the veto under chapter VI has proved to be harmful to the Security Council, but such has not so far been the case in connection with chapter VII. Second, there is great support in the United Nations for the elimination or the restriction of the veto under chapter VI, and also in membership matters, but very little support for changes in voting under chapter VII.

Likewise, there was substantial sentiment at the San Francisco conference for elimination of the veto under chapter VI. Since San Francisco, there have been three extensive discussions in the United Nations on the problem of the veto. The first two of these took place in the second part of the first session and the second session of the General Assembly. The third discussion is now in progress before the Interim Committee of the General Assembly.⁵ It is a noteworthy fact that no proposals have been made in any of these discussions which would have the effect of eliminating the veto in connection with enforcement measures—that is, sanctions, military or nonmilitary, under chapter VII of the Charter. A few proposals have been made which affect comparatively minor phases of the veto in connection with certain chapter VII decisions, but these proposals have developed no substantial support. During the thorough discussions of all phases of the veto

⁴Part II of the Four Power Statement at San Francisco reads:

"In the light of the considerations set forth in part 1 of this statement it is clear what the answers to the questions submitted by the subcommittee should be, with the exception of question 19. The answer to that question is as follows:

1. In the opinion of the delegations of the sponsoring governments, the draft Charter itself contains an indication of the application of the voting procedures to the various functions of the Council.

2. In this case, it will be unlikely that there will arise in the future any matters of great importance on which a decision will have to be made as to whether a procedural vote would apply. Should, however, such a matter arise, the decision regarding the preliminary question as to whether or not such a matter is procedural must be taken by a vote of seven members of the Security Council, including the concurring votes of the permanent members."

⁵For a discussion of this Committee see *Documents and State Papers* of June 1948, p. 159.

problem that have recently taken place in a working group of a subcommittee of the Interim Committee, consisting of representatives of 10 states, including the most violent critics of the veto, it was almost unanimously agreed that there should be no change in the voting procedure in connection with chapter VII.

The third and most important reason for differentiating between the veto under chapter VI and under chapter VII is based upon principle. It is because of this distinction in principle that, as outlined above, great support has developed in the United Nations for elimination of the veto under chapter VI, and no substantial support has developed for its elimination or modification under chapter VII. The distinction in principle was clearly expressed to the First Committee of the General Assembly on November 18, 1947, by John Foster Dulles as representative of the United States:

"Let us now look at the Charter, to see the area within which Security Council decisions, as a matter of principle, ought not to be taken except with a large degree of unanimity. Broadly speaking, it would seem that Security Council action under chapter VII, action with respect to threats to the peace, breaches of the peace and acts of aggression, should, as a matter of principle, be subject to stringent voting requirements. The power of action is so vast, so unrelated to any defined law, so subject to considerations of national policy and expediency, as to create a danger of despotism unless there is such unanimity that the action can fairly be said to reflect the judgment of the overwhelming majority of the world community. The present voting procedure is calculated to assure that, and is thus a protection of a minority against possible arbitrary majorities.

"The situation is different as regards chapter VI, dealing with the pacific settlement of disputes. There, in the main, Security Council action is not so much substantive as procedural, using the word 'procedural' in a liberal sense. Within this chapter there lurks little risk of despotism. The Security Council may call upon the parties to a dispute to settle it by pacific means of their own choice, under article 33. The Security Council may investigate the facts of any dispute, under article 34. It may recommend measures of adjustment, taking into account the fact that legal disputes should, as

a general rule, be referred by the parties to the International Court of Justice, as provided under article 36. The Security Council may, if all the parties so request, make recommendations with a view to the pacific settlement of a dispute, under article 38.

"It would not seem that, as a matter of principle, stringent voting procedure should be required as a condition to the Security Council's acting on such matters. There is perhaps one provision of chapter VI as to which special voting procedure could reasonably be urged. That is the provision of article 37, paragraph 2, which authorizes the Security Council, irrespective of the consent of the parties, to recommend such terms of settlement as it may consider appropriate. This provision is much like the provision in article 39 of chapter VII, requiring the Security Council to make recommendations with a view to maintaining international peace and security.

"Should these two powers of recommendation be subjected to identical voting procedure, and if so, what voting procedure? Should a distinction be made between chapter VI and chapter VII recommendations? This point and others which could be mentioned illustrate the complexity of the problem. In the main, however, it seems that reasons of principle do not require special voting procedures in the case of chapter VI action, or as regards organizational matters, including the election of new members."

V. The United States Proposals

The United States on March 19, 1948, submitted to the Interim Committee certain proposals concerning the veto.⁶ During the technical discussions in the Interim Committee and its subcommittees, the United States has modified and somewhat expanded certain details of its proposals, but the most important features remain unchanged.

These proposals would result in the elimination of the veto in connection with applications for membership in the United Nations, and in connection with decisions under chapter VI of the Charter. They would further result in complete clarification of just where the veto was applicable and where it was not applicable in connection with many miscellaneous decisions of the Security Council, and would make it impossible for any state to enlarge the scope of the veto by claiming that a procedural matter is in fact substantive and

⁶ BULLETIN of Mar. 28, 1948, p. 412.

using the veto to enforce that claim. The United States proposals, however, would not in any way affect the veto under chapter VII or under decisions in certain other sections of the Charter which are analogous to chapter VII decisions.

The United States has proposed two steps to implement these changes: first, that the General Assembly adopt a resolution recommending the change; and, second, requesting that the permanent members of the Security Council agree on the changes. If the General Assembly makes these recommendations, what are the prospects that such agreement will be obtained?

Before attempting to answer that question it should be noted that very little progress can be made without such agreement. It is not possible to amend the Charter without the consent of all of the permanent members of the Security Council (articles 108 and 109).

Most of the changes which the United States is advocating are in reality interpretations or clarifications rather than alterations of Charter provisions, and therefore can be achieved without formally amending the Charter. It should be noted however that certain of the most important of the United States proposals, including those relating to applications for membership and at least one proposal relating to the veto under chapter VI, may in fact require a Charter amendment. Whether with or without Charter amendment, only limited progress can be made without agreement among the permanent members.

Regardless of whether a Charter amendment is required, the first and most important task is to attempt to secure agreement among the permanent members and one of the primary purposes of the United States has been to build the firmest possible foundation for such an agreement. We believe that the best possibility of securing agreement of the U.S.S.R. to a liberalization of voting procedure is through first securing overwhelming support among the remaining members of the United Nations for any suggested changes. Past discussions in the United Nations of the veto problem have disclosed no such agreement.

In the first place a considerable number of states objected to the veto because it was the privilege of only five states. They preferred the League of Nations situation where the Council must act unanimously—in other words, where all states possessed a veto.

Second, a substantial number of small states

considered the veto as a protection to them even though they did not possess it. These states felt that their relations to one or more of the permanent members were so close that their interests were sure to be protected.

Third, a number of states, particularly those in close geographic proximity to the U.S.S.R., feel strongly that no important action should be taken in the United Nations without agreement among all the permanent members and, therefore, support the veto in its entirety.

Finally, even among the strongest critics of the veto, there has been a great difference of opinion as to a substitute voting formula in case of its elimination.

With this complete absence of agreement among critics of the veto, it is small wonder that the U. S. S. R. has up to this time refused to consider seriously proposals for its modification.

The great purpose that is being served by the current discussions in the Interim Committee is to clarify the problems. As a result today the differences of viewpoint concerning the veto are much less than formerly.

There is almost unanimous agreement that the veto should be eliminated in connection with applications for membership and, likewise, that the various ambiguities in the voting formula should be clarified. There is strong support for relaxing the veto under chapter VI to the extent that this can be accomplished without amending the Charter. It seems probable that the veto can in fact be eliminated in connection with the vast majority of decisions under chapter VI through interpretation agreed to by the permanent members and without Charter amendment. Such a development would correspond to the approach which led to the growth, through interpretation, and use, of the United States Constitution.

On the other hand, the United States is the only permanent member of the Security Council that has expressed its willingness at this time to advocate an amendment to the Charter to eliminate the veto under chapter VI. Although the United States may be supported in such a move by the majority of the smaller states, there is no substantial support by any states—large or small—for changes under chapter VII.

It is believed, therefore, that the General Assembly will be in a position to make recommendations along the general lines of United States pro-

posals that will have overwhelming support. Such recommendations, it is hoped, will result in agreement among all the permanent members to carry them into effect through establishment of rules, procedures, and practices, and where necessary through amendment of the Charter. The General Assembly is entitled to recommend Charter amendments which can come into effect through ratification pursuant to article 108 of the Charter without any general conference to review the Charter.

A general conference under article 109 would, from the practical standpoint of international negotiation, be premature until the overwhelming majority of the members of the United Nations have agreed upon Charter changes and until efforts have been exhausted to secure the agreement of all of the permanent members of the Security Council to such changes. Such general conference is inherently a consummating or last step, not the first step. For the present, therefore, we believe that the United States proposals in the Interim Committee and General Assembly furnish the best opportunity for improving the functioning of the Security Council. It should be borne in mind, in this regard, that in the Security Council itself attention is being given to such improvements, though the most thoroughgoing effort is being made by the Assembly and its Interim Committee.

This article has mainly stressed the practical question of just what changes in the veto furnish a real promise of improvement. There is another and even more important side of the problem: the security of the United States. It is recognized that we cannot base our national policy solely on our own independent action. However, at the same

⁷ BULLETIN of May 16, 1948, p. 625. See also *Strengthening the United Nations*, Department of State publication 3159.

time, we cannot place our vast resources of manpower, skill, and materials at the disposal of any numerical majority of the nations of the world without our consent. The veto under chapter VII was our protection and is certainly no less necessary in the conditions of today than in those prevailing two years ago.

VI. Conclusion

It is not enough to consider this problem solely from a standpoint of procedures of United Nations and voting techniques. The uses made of the veto are merely a symptom of the underlying disagreements among the great powers of the world. This was expressed by the Secretary of State in his situation statement before the House Foreign Affairs Committee on May 5.

"The problems today presented to those who desire peace are not questions of structure. Nor are they problems solvable merely by new forms of organization. They require performance of obligations already undertaken, fidelity to pledges already given. Basic human frailties cannot be overcome by Charter provisions alone, for they exist in the behavior of men and governments.

"It is not changes in the *form* of international intercourse which we now require. It is to changes of *substance* that we must look for an improvement of the world situation. And it is to those changes of substance that our policy has been directed. When the substance of the world situation improves, the United Nations will be able to function with full effectiveness. Meanwhile we will continue our efforts in cooperation with other governments to improve the working of the United Nations under the Charter."⁷

THE UNITED NATIONS AND SPECIALIZED AGENCIES

Progress in Indonesia

BY H. MERRELL BENNINGHOFF¹

Deputy Director for Far Eastern Affairs

As Americans you should be particularly interested in the Indonesian problem because you have a special representative contributing to its solution on the spot at this moment. His name is Coert duBois and he is the United States Representative on a three-power United Nations Good Offices Committee which is assisting the Dutch and the Indonesians in their efforts to negotiate a peaceful, mutually satisfactory settlement of their differences.

What differences separate the Dutch and the Indonesians? I suppose the easiest way to tell you is to recount briefly the events which have led to the present negotiations in Java. For 300 years Indonesia has been a Dutch colony. Both the Dutch and Indonesian people derived great benefit from this relationship. Nonetheless the Indonesian people, like people elsewhere in the world, have expressed during the last generation their desire for independence. The Dutch, who have demonstrated throughout the centuries their respect for freedom and independence, have announced on several occasions, notably in 1942, and again this year, their desire to give the Indonesian people the democratic self-government they wished. The development of plans to work out Indonesian self-government was tragically interrupted by the Japanese invasion of the Indonesian archipelago early in 1942. When the Japanese surrendered, an Indonesian Republic was proclaimed which declared complete independence and sovereignty. The Dutch, emerging from Nazi occupation, regarded their sovereignty over Indonesia as unimpaired. So did the United States and other nations. The Dutch naturally regarded the Indonesian Republic as an experiment in rebellion. We must remember that many thousand Dutchmen regarded Indonesia as their home and had over some 300 years built for themselves a large stake in the area. Dutch attempts to restore their control over the archipelago were resisted by force in the Islands of Java, Sumatra, and Madura.

The other parts of the Indonesian archipelago accepted Dutch administration and are not subject to the dispute. During 1946 and early 1947 the Dutch and the Indonesians made many attempts to resolve the essential conflict between their positions by direct negotiations—part of the time, with the assistance of a neutral third party. These attempts which continued against a background of sporadic warfare culminated in an agreement signed at a Javanese town called Linggajati. In spite of the acceptance of the Linggajati agreement, relations between the Dutch and Indonesians deteriorated steadily, each charging the other with violations. In July of 1947, the Netherlands embarked on what it called police action designed to restore peace and order in Java, Sumatra, and Madura. The Indonesian Republic regarded this as an attempt to destroy it by force and offered armed resistance. Large-scale fighting broke out which resulted in the deaths of many Dutch and Indonesian nationals and much destruction of property.

At this moment this situation was brought before the United Nations Security Council.² In August the Council ordered both parties to cease fire. This order was not observed. At length, as a final effort, the Security Council sent a Committee of Good Offices directly to the scene of the struggle to bring about a truce and if possible to assist the Netherlands and the Indonesian Republic in finding a basis for a final settlement of the differences which separated them. The Committee of Good Offices was made up of three members. The Netherlands chose Belgium as its Representative, the Indonesian Republic chose Australia, and Australia and Belgium chose the United States as the third member.

¹ Address delivered over the Columbia Broadcasting System on June 26, 1948, and released to the press on the same date.

² For an article on the work of the committee and documents relating to the dispute see BULLETIN of Mar. 14, 1948, p. 323, which is also published as Department of State publication 3108.

At the request of the Committee of Good Offices, the United States provided the naval transport U.S.S. *Renville* as a neutral place where the negotiations between the Dutch and the Indonesian Representatives might proceed.

After weeks of difficult negotiation aboard the *Renville*, anchored off the coast of Java, a plan was worked out which both the Netherlands and Indonesian Republic voluntarily accepted. Speaking generally, this plan had two parts: first, a truce—the first successful truce in the struggle and one which is still observed by both sides. The first objective of the United Nations—and of the United States Government—was thus met. Secondly, a brief, simple statement of principles, known as the Renville agreements, which are to form an agreed basis for negotiating a final political settlement of the differences which have separated the Netherlands and the Indonesian Republic. Since the acceptance of these principles in January of this year on board the U.S.S. *Renville*, the Netherlands and the Indonesian Republics have been negotiating before the Security Council's Good Offices Committee to achieve the final political agreement outlined in those principles.

I have just referred to the differences which separated the Netherlands and the Indonesian Republic. Fortunately, the differences are those of means and not of ends. The Government of the Netherlands has announced to the world its desire to give the Indonesian people the privileges and responsibilities of self-government. The Indonesian people have, during the past three years, demonstrated their determination to secure self-government. Both the Netherlands and the Indonesian Republic, in accepting the Renville agreements, have agreed to the grand design which shall embody the purposes of these two great peoples. All that remains is to negotiate the details of that design. As all of you know, it is easier to draw a picture of a house than to make a detailed blueprint which the builders can use. The Good Offices Committee has found it tough going in late months to assist the Netherlands and the Indonesians in continuing wholeheartedly to complete their blueprint and begin the building of their new house without disagreeing at the beginning of each day's work on where each window will go when construction begins.

Just what do the Renville agreements provide? These agreements affirm Netherlands sovereignty in Indonesia for a brief interim period during which preparations for an independent government in Indonesia can be undertaken through the cooperation of the Dutch and Indonesian people. After this interim period, the Government of the Netherlands undertakes to transfer full sovereignty to a new nation which shall be called the United States of Indonesia. It is to be

composed of a number of states, comprising the entire archipelago, of which one is to be the Republic of Indonesia. The boundaries of the states which are to make up this United States of Indonesia are to be determined through democratic procedures. After the United States of Indonesia has a constitution, to be written by the democratically elected representatives of the states making up the U.S.I., that new nation, the United States of Indonesia, and the old nation, the Kingdom of the Netherlands, shall join together voluntarily as equal partners in the Netherlands Indonesian Union. Thus, the old empire will be transformed into a union of friends, mutually dependent on each other and mutually helpful to each other and to the world. This should be a satisfaction to all Americans, since your representative is helping to work out the first solution of its kind to one of the most difficult problems with which the world is faced.

I have remarked that the Indonesian people and the Netherlands people are earnestly seeking to resolve their difficulties and that they have been assisted in this difficult task by three powers—Australia, Belgium, and the United States—acting on behalf of the United Nations. There are, of course, normal difficulties in negotiations and honest doubts on both sides. These are yet to be overcome. I am sorry to tell you that in addition to these difficulties there are those who are conniving to subvert the ends sought in the Renville agreements. They are those same people whose policies require the preservation and the intensification of chaos and hatred everywhere in the world. Those people viewed the acceptance of the Renville agreements in January with genuine alarm and they have tried ever since to destroy the faith of the Netherlands people and the Indonesian people in the just and practical character of the proposed settlement. Their ways are devious and ruthless. You know of whom I speak—the Communists, who even at this hour are at work in the Netherlands, in Indonesia, throughout Asia, and even in the United States to call the good faith of the Good Offices Committee and its work into question. I must put you on your guard against these efforts, which take the form of trying to identify Communism, a doctrine of enslavement, with the natural aspirations of peoples throughout the world for independence.

If you could ask me questions now, you would ask what United States policy toward Indonesia is. I will tell you. First and foremost, your Government is determined to do everything it can to bring peace, prosperity, and the freedoms of a democratic system to the peoples of Indonesia as to peoples everywhere in the world. Secondly, your Government, in this particular instance, seeks to assist the Indonesians and Dutch people to rediscover their dependence on each other and learn anew the great contribution that each can make to

the welfare and security of the other. Thirdly, your Government realizes, as do the peoples of the Netherlands and Indonesia, that the rest of the world desperately needs what the two of them, working together, can provide. Finally, your Government is determined that the efforts of totalitarianism to defeat these purposes shall not succeed.

Progress has been made toward the solution of the Indonesian problem which should be heartening to you and to everyone, anywhere in the world, who genuinely hopes for a peaceful settlement of the world's problems. The Indonesian Republicans and the Netherlands have agreed to a truce which halted a bloody war. This truce has been successful for over five months. The two parties have voluntarily accepted the Renville agreements,

which provide an agreed basis for negotiating a final settlement of their differences. In other words, and in the most important sense, a revolutionary situation has been transformed into one in which the legitimate desires of both Dutch and Indonesian peoples can be achieved through evolutionary processes.

We recognize that there are still difficulties of give and take to be overcome, but given the good will of both parties and the will to work with patience and restraint, they can and must be resolved. I assure you that the Government of the United States will continue with resolution and patience to contribute in every way it can to the solution of the Indonesian problem to the end that Dutch and Indonesian peoples will march together in dignity in a world of peace and freedom.

U.S. Steps Taken To Implement Palestine Truce Resolution

LETTER FROM PHILIP C. JESSUP, ACTING U.S. REPRESENTATIVE AT THE SEAT OF THE UNITED NATIONS, TO SECRETARY-GENERAL TRYGVE LIE

[Released to the press by the U.S. Mission to the U.N. June 22]

EXCELLENCY:

Reference is made to your telegram dated June 16, 1948 stating that the Security Council on June 15, at the request of the United Nations Mediator for Palestine, had decided to ask all States Members to report on steps taken to implement the Security Council Palestine Resolution of May 29, and also to request all State Members to extend their cooperation and assistance to the United Nations Mediator in implementation of his truce proposals.

I am instructed to communicate to you for the information of the Security Council the following information concerning the steps which have been taken by my Government to implement the Resolution of May 29.

1. Instructions have been issued to the appropriate authorities of the Government of the United States to take the necessary steps to prevent the departure of "fighting personnel" from the United States to the countries named in Paragraph 3 of the Resolution.

2. Instructions have been issued to the appropriate authorities of the Government of the United States, including the Chairman of the United States Maritime Commission, drawing attention to

statements concerning "men of military age" set forth in Paragraph 6, Subparagraphs (2), (3) and (4) of the Mediator's truce proposals.

3. With respect to Paragraph 5 of the Resolution of May 29, the Government of the United States since November 14, 1947 has applied a rigorous arms embargo covering the shipment of all war material from the United States and its possessions to Palestine and the countries of the Near East.

4. The Government of the United States, as a Member of the Security Council Truce Commission in Palestine, is actively cooperating with the United Nations Mediator and has supplied him, at his request, with military observers, aircraft and communications equipment, and three naval patrol vessels.

It is the profound hope of my Government that the measures thus far adopted by the United Nations Mediator will prove fruitful in leading to the successful accomplishment of his broader task under the terms of the General Assembly Resolution of May 14, 1948; namely to "promote a peaceful adjustment of the future situation of Palestine".

Accept [etc.] **PHILIP C. JESSUP**
Acting United States Representative
to the United Nations

The Indo-Pacific Fisheries Council

by *Andrew W. Anderson*

The need for cooperation and coordination in research concerned with fisheries and other resources of the sea has been recognized for years. A number of European nations have long participated in an association, active particularly in the North Atlantic, which is known as the International Council for the Exploration of the Sea. Canada and the United States have cooperated somewhat similarly on a bilateral basis with regard to fisheries of mutual interest.

Proposals to establish fisheries councils patterned in a general way after the Council for the Exploration of the Sea were discussed at the first session of the Conference of the Food and Agriculture Organization (FAO) at Quebec in 1945. In 1946 at the second session at Copenhagen a report of the Standing Advisory Committee on Fisheries recommending the establishment of such councils was approved. Early in 1947 the South East Asia Fisheries Conference, which was held at Singapore under the auspices of the United Kingdom Special Commissioner in South East Asia, resolved that FAO be requested to establish a fisheries council in that area. Later in 1947 the Director General of FAO notified member nations of his intention to place the matter of initiating fisheries councils on the agenda for the third session of the Conference of FAO at Geneva. A suggested draft of a constitution for a regional council was circulated, and in September 1947 the Conference resolved—

“that FAO should take action to initiate the formation of Regional Councils for the scientific exploration of the sea in the parts of the world not now actively served by similar bodies, giving primary consideration to the following areas:

- North Western Atlantic
- South Western Pacific and Indian Ocean
- Mediterranean Sea and contiguous waters
- North Eastern Pacific
- South Eastern Pacific
- Western South Atlantic
- Eastern South Atlantic and Indian Ocean

“This Commission is of the opinion that the boundaries of these areas, and the constitutions of

the councils, should be left open for discussion and determination by the nations concerned.”

In November 1947 FAO notified its members of a proposal to establish a regional council for the study of the sea in the general area of the southwest Pacific and Indian Oceans and the following January invited the Governments of Australia, Burma, China, France, India, the Netherlands, Pakistan, the Republic of the Philippines, Siam, the United Kingdom, and the United States to send representatives to a conference to consider this proposal. In addition, the Supreme Commander for the Allied Powers in Japan and certain international organizations were invited to send observers.

From February 23 to 28, 1948, official delegates from the following countries met at Baguio, Republic of the Philippines: Burma, China, France, India, the Netherlands, the Republic of the Philippines, the United Kingdom, and the United States. Observers from Italy, SCAP, and UNESCO were present. FAO was represented by the Regional Special Adviser, the Director, and the Chief Biologist of the Fisheries Division, and the Regional Representative (Fisheries) from FAO's office at Singapore. Nearly all the delegates, advisers, and observers were technical fisheries' representatives of their governments.

The conference was organized under the chairmanship of D. V. Villadolid of the Bureau of Fisheries of the Republic of the Philippines. Technical working committees were established on biology, hydrology, taxonomy, and technology. The formal agenda was limited, after considerable discussion, to the establishment of a fisheries council for the Indo-Pacific area and the development of the scientific program to be carried on by that council. Consequently, the conference was able to concentrate upon these objectives and, within the relatively brief time allotted for its deliberations, to formulate an agreement for the establishment of the Indo-Pacific Fisheries Council and to evolve a comprehensive program of investigations to be undertaken by the Council during the next several years.

The agreement is based upon the draft constitution proposed by FAO as revised in the light of comments and suggestions made by various dele-

gations in their opening statements to the conference and in the light of the modified draft constitution presented to the conference by the United States. The agreement recognizes that the countries represented at the conference possess a "mutual interest in the development and proper utilization of the living aquatic resources of the Indo-Pacific areas" and provides for the establishment of a council with certain functions and duties in the Indo-Pacific areas. These functions and duties are—

1. To formulate the oceanographical, biological, and other technical aspects of the problems of development and proper utilization of living aquatic resources;

2. To encourage and coordinate research and the application of improved methods in everyday practice;

3. To assemble, publish, or otherwise disseminate oceanographical, biological, and other technical information relating to living aquatic resources;

4. To recommend to member governments such national or cooperative research and development projects as may appear necessary or desirable to fill gaps in such knowledge;

5. To undertake, where appropriate, cooperative research and development projects directed to this end;

6. To propose, and where necessary to adopt, measures to bring about the standardization of scientific equipment, techniques, and nomenclature;

7. To extend its good offices in assisting member governments to secure essential materials and equipment;

8. To report upon such questions relating to oceanographical, biological, and other technical problems as may be recommended to it by member governments or by the Food and Agriculture Organization of the United Nations and other international, national, or private organizations with related interests;

9. To report annually to the Conference of the Food and Agriculture Organization of the United Nations upon its activities, for the information of the Conference; and to make such other reports to the Food and Agriculture Organization of the United Nations on matters falling within the competence of the Council as may seem to it necessary and desirable.

The agreement is open to acceptance by the governments represented at the Baguio conference, by other governments which are members of FAO, and by those governments not members of FAO which meet certain conditions including approval by the FAO Conference and by two thirds of the members of the Indo-Pacific Fisheries Council. The agreement is to enter into force upon acceptance by five member governments.

In order that the scientific cooperation begun at Baguio might be continued without interruption, the conference directed by a resolution adopted at the final plenary session that the technical working committees on biology, hydrology, taxonomy, and technology continue to function informally, with the assistance of the Fisheries Division of FAO, pending the entry into force of the agreement.

The Committee on Biology recommended that the mode of approach to a program must be to determine the present status of knowledge and the programs under way in the area. It proposed as a first step the circulation of a questionnaire on these matters and an analysis of the replies.

The Committee on Hydrology envisaged a five-year program, involving, in the first year, the compilation of oceanographic data, drafting of a map of the principal producing regions, and agreement on methods and procedures.

The Committee on Taxonomy suggested an exploratory program during the first year. It recommended definition of the limits of the region; examination of existing facilities; expansion of an existing institution to house standard international collections of regional aquatic organisms; development of ways and means of completing national collections in each taxonomic subregion; preparation of a bibliography of the most important taxonomic works published about the region during the last 25 years; development of coordination between existing taxonomic laboratories and research laboratories; and establishment of coordination in taxonomic studies between the proposed Council and international bodies such as the International Commission for Zoological Nomenclature and UNESCO.

The Committee on Technology reported that a final program could be developed only after a specific program had been submitted to government representatives for their comments and for inclusion of their special technological requirements. The value of an Indo-Pacific Fisheries Technological Institute was acknowledged, but it was not assigned a definite position in the program because it was not apparent that one central institute was preferable to a number of smaller centers, nor was it certain that its importance was greater than that of several other suggested projects.

At the second session of the Council of FAO, held at Washington from April 5 to 17, 1948, the report of the Baguio fisheries conference was approved, and the Director General by a circular letter directed the attention of the member governments to the results of that conference and urged acceptance of the agreement in order that it might enter into force at an early date and in order that FAO might thereupon proceed with the organization of the Indo-Pacific Fisheries Council and the convening of its first meeting.

Soviet Opposition to Atomic Energy Issues

STATEMENT BY FREDERICK OSBORN

Deputy U.S. Representative on the U.S. Atomic Energy Commission

[Released to the press by the U.S. Mission to the U.N. June 28]

On Tuesday, June 22, 1948, nine members of the Security Council voted to approve the general findings and recommendations of the First Report of the Atomic Energy Commission of the United Nations, the specific proposals of the Second Report, and the recommendations of the Third Report.¹ The Ukrainian Delegate voted against and the U.S.S.R., exercising its power to veto, prevented the passage of the resolution. The same nine members then voted for a simple resolution transmitting the three reports to the General Assembly, as a matter of special concern, together with the record of the discussion in the Security Council. The Soviet Union and the Ukraine abstained on this motion and the majority proposals for international control of atomic energy now go to the General Assembly for consideration.

The debate in the Security Council was brief and reflected the feeling on the part of the delegates that almost everything possible had been said during the two years of discussion and over 200 meetings of the Atomic Energy Commission. In the words of the United States Representative, Philip Jessup, in his opening statement:

"Sincere efforts, prolonged study and many debates have not enabled the majority to secure Soviet agreement to 'even those elements of effective control considered essential from the technical point of view, let alone their acceptance of the nature and extent of participation in the world community required of all nations in this field by the First and Second Reports of the Atomic Energy Commission.'"

Only the Soviet and the Ukrainian Delegates spoke at any length and in each case they merely repeated the position which the Soviet Union has held from the start in this matter. Their viewpoint was:

First, that there must be a treaty prohibiting atomic weapons and the means of making them, and that this treaty must be signed and put into effect before a treaty for control can be discussed. This proposal is tantamount to unilateral disarmament and is wholly unacceptable to any of the nations outside the Soviet sphere.

¹ BULLETIN of June 20, 1948, p. 798.

Second, that the proposal of the majority would extend the United States monopoly throughout the whole world. It is hard to understand how anyone can make this statement unless he has failed to read the First Report and, particularly, the Second Report of the Commission.

Third, that the international agency would control the economic life of each nation. This position is absolutely groundless, especially since agreement was reached on the inclusion in the treaty itself of a quota system which would provide in advance the proportion of atomic power that would be available to each nation.

Fourth, and finally, that the plan of the majority would interfere with national sovereignty. This argument is correct, but as is clearly stated in the Third Report, the question is not whether "the functions and powers of the international control agency as elaborated by the majority, are politically acceptable or not . . . but whether governments now want effective international control."

The summary made by Gen. A. G. L. McNaughton, the Canadian Representative, on May 17, 1948, at the final meeting of the Atomic Energy Commission, clearly expresses the feeling of the majority of the delegates. General McNaughton said in part:

"I am sure I reflect the views of the majority . . . when I express disappointment in the fact that the affairs of the Atomic Energy Commission have reached an impasse which is beyond the capacity of the Commission itself to resolve at this time. It has become evident . . . that the issues which have been raised now require debate in a wider forum, and it is for this reason that the conclusion has been reached that the situation should be frankly and fully reported, first to the Security Council and then to the General Assembly . . . so that the grave questions at issue may be taken up at the forthcoming session of the General Assembly . . . in Paris . . . September next.

"I should like to make it quite clear that this proposal on the part of the majority of the Atomic Energy Commission does not represent any acceptance of defeat or confession of failure in its efforts to achieve a proper system for the international control of atomic energy.

"Quite the contrary. The majority of the mem-

(Continued on page 27)

Department of State Bulletin

The United States in the United Nations

Trusteeship Administration

The view that notice to the Trusteeship Council should precede the initiation of an administrative union or federation affecting trust territories was urged by the United States at the Council's June 29 meeting.

Ambassador Francis B. Sayre, the U.S. Representative, asserted in a formal statement¹ that the United States for its part will give the United Nations advance notice of any measure "which might affect the separate administration of the Trust Territory of the Pacific Islands" and expressed the hope that other powers administering U.N. trust territories would do likewise.

Mr. Sayre's statement, which he said was "without reference to any specific territory and certainly without implying criticism of any administering authority", was made as the Council began its consideration of the United Kingdom's annual report on its administration of the Trust Territory of Tanganyika in East Africa. The report includes references to administrative measures looking toward joint operation of a number of common services for Tanganyika and the adjoining territories of Kenya and Uganda, which the United Kingdom administers in its own right.

Noting that "under most of the existing trusteeship agreements the administering authority is authorized to constitute the trust territory into an administrative union or federation with adjacent territories under the sovereignty or control of the administering authority," Mr. Sayre added that the United States nevertheless believed "that it would not only be a courtesy but would also facilitate the practical work of the Council if an administering authority should inform the Trusteeship Council before implementing any plan it has formed for establishing such a union or federation."

When the General Assembly in 1946 reviewed the first trusteeship agreements, Mr. Sayre recalled, the administering powers gave assurances that the right to establish administrative unions would not be construed to sanction "any form of political association between the trust territory and adjacent territories which would involve annexation of the trust territory in any sense, or would have the effect of extinguishing its status as a trust territory."

Among criteria by which the Council might appraise administrative unions, Mr. Sayre suggested

that such arrangements should not subordinate the rights and interests of the trust territories to the interests of other territories and that they should not make it impossible to supply the Trusteeship Council with statistics and other information bearing specifically on the trust territories.

Indonesia

Regret that illness compels Coert duBois, U.S. member of the Security Council's Committee of Good Offices in Indonesia, to return to the United States was expressed at a July 1 meeting which the Council devoted to the status of negotiations between the Netherlands and the Republic of Indonesia. Philip C. Jessup, U.S. Deputy Representative, told the Council that "this is no question of a diplomatic illness" and made it clear that Mr. duBois' return had no connection with the controversy over proposals recently put forward by Mr. duBois and his Australian colleague, T. K. Critchley.

Press disclosures of the tenor of the U.S.-Australian compromise suggestions had been given by the Dutch as their reason for breaking off negotiations for a short time in mid-June. The Committee advised the Security Council on June 23 that negotiations under its auspices had been renewed but had at once been stalemated by the Netherlands' refusal to discuss the U.S.-Australian proposals, with which the Committee's third member, R. Herremans of Belgium, did not associate himself.

Security Council discussion centered around a Chinese motion that the Council ask the Committee for the text of the proposals in question. The motion was lost when votes for it fell one short of the required seven. Canada, China, Colombia, Syria, the Ukraine, and the U.S.S.R. voted for it; Argentina, Belgium, France, the United Kingdom and the United States abstained.

Before the vote Dr. Jessup said that the Committee of Good Offices was in the best position to judge whether sending the document to the Security Council would serve to advance the negotiations, a purpose which should be the sole test of the Council's action in this respect.

Strategic Trusteeships

Debates in the Trusteeship Council on June 25 and 28 regarding the relationship of the Trustee-

¹ U.S. Mission to the United Nations press release 480.

ship Council and the Security Council with respect to strategic trusteeships followed the same general lines as earlier debate in the Security Council.² S. K. Tsarapkin, Soviet Representative, echoed what Mr. Gromyko had said in the Security Council, i.e. that all U.N. functions for strategic trusteeships were vested in the Security Council and were in no way the concern of the Trusteeship Council unless and until the Security Council asked its help or advice on particular problems.

The representatives of Australia, China, Mexico, New Zealand, and the Philippines said that in their view the language of article 83 of the Charter obliged the Security Council to entrust to the Trusteeship Council U.N. functions having to do with political, economic, social, and educational matters in the strategic trust areas.

The only strategic trusteeship now in effect is that under which the United States administers the Pacific islands formerly mandated to Japan, and the discussion, in which Ambassador Sayre of the United States took no part, often adverted to this particular arrangement. After William D. Forsyth of Australia had said that the Trusteeship Council could not act before the Security Council asked its help, as it was obliged to do, Luis Padilla Nervo of Mexico argued that in effect the Security Council had already done so with respect to the Pacific islands by ratifying the trust agreement, which applies articles 87 and 88 of the Charter, subject to the right of the United States to close any area for security reasons. These articles authorize the Trusteeship Council to inspect trust territories, to receive petitions from their inhabitants, and to obtain public-welfare data from administering authorities.

Future of "Little Assembly"

A recommendation that the Interim Committee of the General Assembly should be continued for another experimental year was agreed to on June 25 by Subcommittee 4, to which was assigned preliminary consideration of a report to the General Assembly on this point.

Extension of the Interim Committee had been advocated in the Subcommittee by Joseph E. Johnson, Deputy U.S. Representative.³ The Subcommittee's members include representatives of 14 nations. On July 9 the Subcommittee will meet to take the final action on its report.

Air Agreement

The United States is one of the 10 nations which signed the final act of the Icelandic air conference held in Geneva from June 21 to 26 under the auspices of the International Civil Aviation Organization. By the act, nine nations whose aircraft

fly North Atlantic routes agree to joint support in Iceland of the air navigation, communication, and meteorological facilities without which such flights would be unsafe. The agreement is the largest financial project connected with aviation ever concluded by a permanent international body.

Korean Commission

The Temporary Commission on Korea announced on the occasion of its visit to the Korean National Assembly on June 30 that by a resolution of June 25 it resolved unanimously that the elections held on May 10 were "a valid expression of the free will of the electorate in those parts of Korea which were accessible to the Commission." To carry out further the recommendations of the General Assembly resolution under which it was established, the Commission announced that it was available for consultations with representatives of the Korean National Assembly "regarding the freedom and independence of the Korean people."

India-Pakistan Dispute

The Commission on India and Pakistan established to work toward the settlement of differences between these two nations over Kashmir and other matters announced that it plans to arrive in Karachi on July 7.

Health Assembly

In one of the opening addresses at the first World Health Assembly, the continuing interest of the United States in the work of the World Health Organization was expressed by Dr. Martha Eliot, acting chairman of the U.S. Delegation, pending the arrival of Dr. Thomas Parran, Chairman of the Delegation and Medical Director of the U.S. Public Health Service. The Assembly opened its first session on June 24 in Geneva, thus marking the beginning of full-scale activity of the World Health Organization. The U.S. was unanimously accepted as a member of Who on July 2, the Assembly deciding that the U.S. reservation concerning the right of withdrawal upon one year's notification did not affect the validity of the U.S. ratification.

Balkan Committee

The Special Committee on the Balkans signed its report for submission to the General Assembly in Geneva on June 30. The only finding made public states that "although the Albanian, Bulgarian and Yugoslav Governments have not so far cooperated" with the Committee, it is possible to help these governments and Greece "realize their common interest in a peaceful settlement of their differences", if they would act in the spirit of the Charter and the Assembly resolution.

² BULLETIN of June 27, 1948, p. 830.

³ BULLETIN of June 30, 1948, p. 801.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES ¹

Calendar of Meetings

Adjourned during June

		1948
International Conference on Safety of Life at Sea	London	Apr. 23-June 10
Icao (International Civil Aviation Organization):		
Legal Committee: Annual Meeting	Geneva	May 28-
General Assembly: Second Session	Geneva	June 1-
Conference of North Atlantic States Concerned in Joint Support of Iceland Air Navigation Services.	Geneva	June 21-
United Nations:		
Ecococ (Economic and Social Council):		
Human Rights Commission: Third Session	Lake Success	May 20-June 16
Economic Commission for Asia and the Far East	Ootacamund, India	June 1-
Economic Commission for Latin America	Santiago	June 7-
Subcommission on Economic Development	Lake Success	June 14-25
Permanent Central Opium Board: 50th Session	Geneva	June 14-
Diplomatic Conference on Revision of Convention for Protection of Literary and Artistic Works.	Brussels	June 5-19
Association for Hydraulic Structures Research	Stockholm	June 6-9
International Conference on Textiles	Buxton, England	June 7-12
Third International Conference on Large Dams	Stockholm	June 10-17
Specialist Conference on Tropical and Subtropical Soils.	Hertfordshire, England	June 14-28
Who (World Health Organization): Interim Commission: Sixth Session.	Geneva	June 18-23
XIX Congress of the International Federation for Housing and Town Planning.	Zürich	June 20-26
Second International Soil Mechanics and Foundation Engineering Conference.	Rotterdam	June 21-30

In session as of July 1, 1948

		1946
Far Eastern Commission	Washington	Feb. 26-
United Nations:		
Security Council	Lake Success	Mar. 25-
Military Staff Committee	Lake Success	Mar. 25-
Commission on Conventional Armaments	Lake Success	Mar. 24-
Security Council: Committee of Good Offices on the Indonesian Question.	Lake Success	Oct. 20-
General Assembly: Special Committee on the Greek Question	Salonika and Geneva	Nov. 21-
Temporary Commission on Korea	Seoul	Jan. 12-
Interim Committee of the General Assembly	Lake Success	Feb. 23-
Security Council's Kashmir Commission	Geneva and Kashmir	June 15-
Trusteeship Council: Third Session	Lake Success	June 16-
German External Property Negotiations (Safehaven):		
With Portugal	Lisbon	Sept. 3-
With Spain	Madrid	Nov. 12-
Inter-Allied Trade Board for Japan	Washington	Oct. 24-
Council of Foreign Ministers:		
Deputies for Italian Colonial Problems	London	Oct. 3-
Commission of Investigation to Former Italian Colonies	Former Italian Colonies	Nov. 8-

¹ Prepared in the Division of International Conferences, Department of State.

Calendar of Meetings—Continued

		1948
ITU (International Telecommunication Union):		
Provisional Frequency Board	Geneva	Jan. 15-
International Administrative Aeronautical Radio Conference . .	Geneva	May 15-
European Regional Broadcasting Conference	Copenhagen	June 24-
U.S.-Swedish Inter-Custodial Discussions	Washington	June 15-
ILO (International Labor Organization): 105th and 106th Sessions of Governing Body Conference: 31st General Session.	San Francisco	June 9-
Royal Society Information Conference	London	June 21-
WHO (World Health Organization): First Session of World Health Assembly.	Geneva	June 24-
International Conference on Large High Tension Electric Systems: Twelfth Biennial Session.	Paris	June 24-
Eleventh International Conference on Public Education	Geneva	June 28-
International Council of Museums: First General Biennial Con- ference.	Paris	June 28-
Scheduled for July 1-31, 1948		
Meeting of International Union of Family Organizations	Geneva	July 1-3
ICER (International Children's Emergency Fund):		
Program Committee	Paris	July 3-
Executive Board	Geneva	July 16-
UNESCO (United Nations Educational, Scientific and Cultural Or- ganization): Executive Board: Eighth Session.	Paris	July 12-17
First International Poliomyelitis Conference.	New York.	July 12-17
Seventh International Congress of Agricultural Industries.	Paris	July 12-18
ITU (International Telecommunication Union): Fifth Plenary Meet- ing of Radio Consultative Committee.	Stockholm	July 12-
ICAO (International Civil Aviation Organization): North Pacific Regional Air Navigation Meeting	Seattle	July 13-August 2
First Inter-American Conference for the Rehabilitation of Cripples.	Mexico City.	July 18-24
FAO (Food and Agriculture Organization): Technical Conference of Latin American Nutrition Experts	Montevideo	July 18-28
Sixth International Congress of Linguists	Paris	July 19-24
United Nations: Economic and Social Council: Seventh Session . .	Geneva	July 19-
International Office of Wine: 27th Session of Committee	Paris	July 20-
Thirteenth International Congress of Zoology	Paris	July 21-27
21st International Congress of Orientalists	Paris	July 23-31
Third Inter-American Travel Congress	Buenos Aires	Late July ²
International Union of Scientific Radio: General Assembly	Stockholm	July-August

² Tentative.

Scientific and Economic Development in the Caribbean

The Sixth Meeting of the Caribbean Commission was held at San Juan, Puerto Rico, May 24 to 29, 1948. This was the first time that a regular semiannual meeting of the four-nation Caribbean Commission had convened in Puerto Rico.

The Commission took action on many items of importance designed to strengthen its functions in the social and economic fields. Foremost among the recommendations were those dealing with industrial development, transportation and communications, the movement of population, and the establishment of a research-information unit to service the Caribbean area.

The emphasis of this meeting was on the Commission's primary task as an advisory body in promoting scientific, technological, and economic development in the Caribbean. It was recognized that the Commission's program for regional action in achieving such development depended upon a thorough knowledge of what research and research facilities exist in the individual territories. With this in view, the Commission decided to proceed with the completion of a survey of all existing research institutions, projects, and personnel in the area. The results of this survey will form the nucleus of a permanent and active research-information service to be maintained within the organization of the central secretariat, whose headquarters are located at Port-of-Spain, Trinidad, B.W.I. The research staff of the secretariat will concentrate on a limited number of particular fields of activity which have everyday application in the lives of the peoples of the Caribbean, such as soil-erosion control methods, plant and animal quarantine, governmental action in respect to nutrition, health education, and the livestock industry. The work will not be confined merely to the collection and dissemination of information on research activities already being carried on by other agencies but will include specialized studies by the research staff in its own particular fields of expert knowledge. Such information will be widely distributed in order to make known what resources, research, and research facilities exist, what research is in progress, how work can be coordinated to avoid duplication of effort, and how research can best be developed on a cooperative basis.

In addition, the Commission authorized the establishment of a statistical unit to collect, collate, analyze, and distribute data on such matters as trade, population trends, and other topics of general utility to the area as a whole. It recon-

stituted the technical research committees, and inaugurated the device of convening from time to time meetings of experts to advise the Commission on specific proposals for research-information services in their various fields of specialization.

Although it has been recognized for some time that the pressure of rapidly growing population on limited agricultural resources is one of the basic economic problems of the Caribbean area, little intensive study has been given to this subject except in Puerto Rico. With this in mind, the Commission authorized a study of population movements in the Caribbean to serve as a basis for coordinated governmental action through the agency of the Commission. The study will deal with population growth and pressure, major migratory movements affecting the Caribbean, and the present outlook for migration. The Commission is expected to complete the study within a period of six months.

Progress was reported on the survey of existing and potential industries which was recommended by the second session of the West Indian Conference. A panel of four experts, one representing each of the national sections of the Commission, is rapidly completing the four sectional reports. This material will be collated into an over-all report which will not only be a factual study of the state of industrial development, existing and projected, but will indicate the possibilities of a general plan for the coordinated development of industries in the area, and the machinery that might be set up to carry forward such regional industrial development. This survey will be completed by September 1, 1948, and will be circulated to delegates in advance of the third session of the West Indian Conference.

It was decided that the third biennial session of the West Indian Conference will be held in Guadeloupe beginning December 1, 1948. In addition to inviting two delegates representing each of the 15 Caribbean territories, the Commission will invite observers from Cuba, Haiti, the Dominican Republic, and Canada, and from the United Nations and its specialized agencies. The central theme of the conference will be industrial development and related matters, such as transportation and communication.

The Sixth Meeting was held under the chairmanship of Pierre Pelieu, of France, who presided in accordance with the principle of rotation of chairmanship provided for in the agreement for the establishment of the Caribbean Com-

ACTIVITIES AND DEVELOPMENTS

mission. Tribute was paid to the contribution made by the late chairman of the United States Section of the Commission, Charles W. Taussig, and the following resolution was adopted:

"Be it Resolved: That the Caribbean Commission at its Sixth Meeting is conscious of a deep sense of loss due to the untimely death of Charles Taussig, United States Co-Chairman, and desires to place on record its profound appreciation of his sincere interest and confidence in the peoples of the Caribbean, his untiring efforts on their behalf, and his abounding faith in the potentialities of the Commission, all of which made his contribution to the work of the Commission of inestimable value."

Attending the meeting were the following Commissioners:

<i>France:</i>	M. Pierre Pelieu (Co-Chairman) M. Henri Claudel (Alternate)
<i>Netherlands:</i>	Dr. J. C. Kielstra (Co-Chairman) Dr. W. C. de la Try Ellis Mr. C. H. H. Jongbaw Mr. L. A. H. Peters
<i>United Kingdom:</i>	Mr. S. A. Hammond (Acting Co-Chairman) Mr. Garnet Gordon Mr. N. W. Hanley Mr. E. E. Sabben-Clare
<i>United States:</i>	Gov. Jesús T. Piñero (Acting Co-Chairman) Gov. W. H. Hastie Dr. Rafael Picó

Plans for North Pacific Regional Air Navigation Meeting of ICAO

[Released to the press June 22]

The Department of State announced on June 22 preliminary plans for the North Pacific Regional Air Navigation Meeting of the International Civil Aviation Organization (ICAO), scheduled to convene at Seattle on July 13, 1948.

This will be the eighth in a series of ten regional meetings originally scheduled by the Provisional International Civil Aviation Organization to cover the ten air regions into which the world has been divided by the Organization. The purpose of the meeting is to examine the problems of air navigation in the North Pacific region. The delegates will prepare a regional plan of the aids to navigation and the usages needed in the region to permit the observance of or to supplement the standards and recommended practices currently approved by the ICAO Council. The meeting will last from two to three weeks.

The United States, as host Government, will provide the international secretariat. This secretariat will be assisted by technical experts from the secretariat of ICAO at Montreal. Richard S. Wheeler, Assistant Chief, Division of International Conferences, Department of State, has been designated secretary general of the meeting. All technical aspects will be under the supervision of Robert W. Craig, Adviser on Meteorology to the Administrator of the Civil Aeronautics Administration, and Chief, International Aviation Section, U.S. Weather Bureau.

It is expected that the meeting will follow the usual pattern of regional meetings of ICAO and

that the principal committees formed will include aerodromes and ground aids, air traffic control, communications, meteorology, and search and rescue. The practices and procedures recommended by the meeting in these fields will be forwarded to the Council of ICAO at Montreal for consideration and approval.

In accordance with the recommendations of the ICAO Council, invitations to participate in the conference have been sent to the Governments of Australia, Canada, China, France, India, the Netherlands, New Zealand, the Philippines, Siam, and the United Kingdom. Invitations to send observers have likewise been extended to 36 member states of ICAO and to the Union of Soviet Socialist Republics and Burma, which are not member states of ICAO. International organizations which have been invited to attend include the United Nations, the International Air Transport Association, the International Meteorological Organization, the International Telecommunication Union, and the Fédération Aéronautique Internationale.

Dr. Raymond Allen, president of the University of Washington, has made available to this Government facilities on the University's campus where the meeting may be held. William F. Devin, mayor of Seattle, has appointed a civic committee for the purpose of providing appropriate hospitality for the visiting delegations.

The United States Delegation to this meeting is now being formed and the names of the representatives will be announced later.

Department of State Bulletin

THE RECORD OF THE WEEK

Signing of the Displaced Persons Act of 1948

STATEMENT BY THE PRESIDENT

[Released to the press June 25]

It is with very great reluctance that I have signed S. 2242, the Displaced Persons Act of 1948.¹

If the Congress were still in session, I would return this bill without my approval and urge that a fairer, more humane bill be passed. In its present form this bill is flagrantly discriminatory. It knocks the American tradition of fair play. Unfortunately, it was not passed until the last day of the session. If I refused to sign this bill now, there would be no legislation on behalf of displaced persons until the next session of the Congress.

It is a close question whether this bill is better or worse than no bill at all. After careful consideration I have decided, however, that it would not be right to penalize the beneficiaries of this bill on account of the injustices perpetrated against others who should have been included within its provisions. I have therefore signed the bill in the hope that its injustices will be rectified by the Congress at the first opportunity.

Americans of all religious faiths and political beliefs will find it hard to understand, as I do, why the 80th Congress delayed action on this subject until the end of this session, with the result that most attempts to improve the bill were frustrated.

The 80th Congress certainly had ample time to produce a satisfactory bill. Eighteen months ago, in my state-of-the-Union message,² I stated that I did not feel that the United States had done its part in the admission of displaced persons. I pointed out that Congressional assistance in the form of new legislation was needed.

Six months later, on July 7, 1947, because the Congress had not yet acted, I sent a special message on the subject. I reminded the Congress: "We are dealing with a human problem, a world tragedy. . . . I urge the Congress to press forward with its consideration of this subject and to pass suitable legislation as speedily as possible." To my regret, the Congress adjourned last summer without passing any displaced-persons legislation.

Again, on January 7, 1948, I urged the Congress "to pass suitable legislation at once so that this Nation may do its share in caring for homeless and

suffering refugees of all faiths. I believe that the admission of these persons will add to the strength and energy of the Nation."

The Congress did not act "at once". The Senate committee charged with the responsibility of rendering a report on January 10, 1948, asked for, and received, an extension to report on February 10. Instead of reporting on February 10 it reported on March 2. The bill which it finally reported, without a single public hearing, was roundly and deservedly criticized by all who were interested in achieving a fair solution of this problem. Through one device or another, debate on the bill by the Senate was postponed from the beginning of March until the end of May. The Senate bill was not passed until June 2. The House of Representatives in the meantime had delayed action and did not pass its bill until June 11. It was not until the last days of the session that the Senate and the House conferees met to put together a compromise.

The compromise resulting from this hasty, last-minute action consisted largely of combining the worst features of both the Senate and House bills.

I have analyzed closely the bill which was sent to me for signature. Its good points can be stated all too briefly: At long last, the principle is recognized that displaced persons should be admitted to the United States. Two hundred thousand displaced persons may be admitted in the next two years, as well as 2,000 recent Czech refugees and 3,000 orphans.

The bad points of the bill are numerous. Together they form a pattern of discrimination and intolerance wholly inconsistent with the American sense of justice.

The bill discriminates in callous fashion against displaced persons of the Jewish faith. This brutal fact cannot be obscured by the maze of technicalities in the bill or by the protestations of some of its sponsors.

The primary device used to discriminate against Jewish displaced persons is the provision restricting eligibility to those displaced persons who entered Germany, Austria, or Italy on or before December 22, 1945. Most of the Jewish displaced

¹ Public Law 774, 80th Cong., 2d sess.

² BULLETIN of Jan. 19, 1947, p. 124.

persons who had entered Germany, Austria, or Italy by that time have already left; and most of the Jewish displaced persons now in those areas arrived there after December 22, 1945, and hence are denied a chance to come to the United States under this bill. By this device more than 90 percent of the remaining Jewish displaced persons are definitely excluded. Even the eligible 10 percent are beset by numerous additional restrictions written into the bill.

For all practical purposes, it must be frankly recognized, therefore, that this bill excludes Jewish displaced persons, rather than accepting a fair proportion of them along with other faiths.

The bill also excludes many displaced persons of the Catholic faith who deserve admission. Many anti-Communist refugees of Catholic faith fled into the American zones after December 22, 1945, in order to escape persecution in countries dominated by a Communist form of government. These too are barred by the December 22, 1945, date line.

It is inexplicable, except upon the abhorrent ground of intolerance, that this date should have been chosen instead of April 21, 1947, the date on which General Clay closed the displaced-persons camps to further admissions.

The Jewish and Catholic displaced persons who found asylum in our zones between December 22, 1945, and April 21, 1947, who are wrongly excluded by this bill, fled their native countries for the same basic reasons as Balts who came before December 22, 1945, and Czechs who came after January 1948, who are rightly included. I sincerely hope that the Congress will remedy this gross discrimination at its earliest opportunity.

There are many other seriously objectionable features in the bill. Some of these are as follows.

Except for orphans, the bill charges the displaced persons admitted under its provisions to future immigration quotas of their countries of birth, up to 50 percent of the quota per year. Under this system, 50 percent of some quotas will be "mortgaged" for generations. This is a most begrudging method of accepting useful and worthy people and will necessarily deprive many other worthy people of an opportunity to come to the United States in future years. Considering how few permanent immigrants were able to enter this country during the war, it would have been more equitable to admit the displaced persons as non-quota immigrants.

The bill requires that at least 40 percent of the displaced persons allowed to enter this country must come from areas which have been "*de facto* annexed by a foreign power". This guarantees a disproportionately high percentage of persons from particular areas. It would have been fairer to provide instead for the admission of persons in proportion to the numbers of each group in the displaced-persons camps.

The bill reflects a singular lack of confidence by the Congress in the capacity and willingness of the people of the United States to extend a welcoming hand to the prospective immigrants. It contains many restrictive requirements, such as prior assurances of suitable employment and "safe and sanitary housing", unnecessarily complicated investigation of each applicant, and burdensome reports from individual immigrants. I regret that the Congress saw fit to impose such niggardly conditions.

The bill submitted to me also emasculates the salutary provision of the House bill which provided for the granting of permanent residence status to a maximum of 15,000 displaced persons who are already lawfully in this country. The bill now requires a concurrent resolution of the Congress in favor of each individual after his application has been approved by the Attorney General. This requirement has the effect of perpetuating the cumbersome practice of special action by the Congress to adjust the status of individual aliens.

I know what a bitter disappointment this bill is—to the many displaced victims of persecution who looked to the United States for hope; to the millions of our citizens who wanted to help them in the finest American spirit; to the many members of the Congress who fought hard but unsuccessfully for a decent displaced-persons bill. I hope that this bitter disappointment will not turn to despair.

I have signed this bill, in spite of its many defects, in order not to delay further the beginning of a resettlement program and in the expectation that the necessary remedial action will follow when the Congress reconvenes.

Establishment of Missions by the U. S. and the Provisional Government of Israel

Statement by the President

[Released to the press by the White House June 22]

Agreement has been reached between the Government of the United States and the Provisional Government of Israel on the establishment of a Mission of the United States in Israel and a Mission of the Provisional Government of Israel in the United States. Agreement has also been reached on the exchange of special representatives.

Mr. Eliahu Epstein has been designated by the Provisional Government of Israel as its Special Representative in the United States heading the Mission of the Provisional Government of Israel in this country.

I have today appointed the Honorable James Grover McDonald, of New York, to serve as the Special Representative of the United States to head the Mission of the United States in Israel.

Department of State Bulletin

Convocation of Conference Concerning Navigation on Danube River ¹

SUMMARY OF NEGOTIATIONS

[Released to the press June 21]

A note dated June 12 from the Embassy of the Union of Soviet Socialist Republics ² concerning the proposed convocation of a conference to work out a new convention for the regime of navigation on the Danube expressed Soviet concurrence that the conference be held on July 30; that Austria participate in a consultative capacity; and that an appropriate communication be sent by the Governments of the U.S.S.R., the U.K., France, and the U.S. to the host government requesting the latter to invite participants to the conference. At the same time the Soviet Embassy stated that it had been informed by the Yugoslav Government that it would be difficult to provide the necessary facilities for holding the conference in Belgrade on July 30 and suggested in the circumstances that the conference be held in the capital of one of the other Danubian states participating in the conference on a voting basis.

On June 16 the Minister for Foreign Affairs of

Yugoslavia informed the U.S. Chargé d'Affaires in Belgrade that the information given by the Soviet Government concerning technical difficulties for organizing the conference in Belgrade on July 30 was based on his personal statement and was not shared by the Yugoslav Government, which had in fact taken all steps in preparation for the conference to be held on July 30 in Belgrade without any obstacles.

The Department replied to the Soviet note of June 12 in a note delivered June 18, the text of which is released herewith. On June 19 the Department received a further note dated June 18 from the Soviet Embassy supplementing its earlier note of June 12 and, after confirming the statement by the Yugoslav Foreign Minister referred to above, which was also communicated to the Soviet Embassy in Yugoslavia, stating that the Soviet Government now considers the agreement reached earlier for the convocation of the conference in Belgrade on July 30 as re-established.

TEXT OF THE AMERICAN NOTE TO THE U. S. S. R.

[Released to the press June 21]

The Secretary of State presents his compliments to His Excellency the Ambassador of the Union of Soviet Socialist Republics and has the honor to acknowledge the receipt of the Ambassador's note of June 12, 1948, concerning the convocation of a conference to work out a new convention regarding the regime of navigation on the Danube.

It is noted that the Ambassador states that the Government of the Union of Soviet Socialist Republics has been informed by the Yugoslav Government that it would be difficult to make satisfactory arrangements for such a conference in Belgrade by July 30, 1948 as proposed and suggests instead that the conference be held in the capital of one of the other Danubian States participating in the conference on a voting basis.

However, since the receipt of the Ambassador's note under acknowledgment the Yugoslav Government has informed the United States Government that all necessary measures have been taken to insure that the conference is held in Belgrade on July 30.

While the United States Government has no objection to holding the conference in Bucharest, Budapest, Prague or Sofia, it was, and still is, equally pleased to accede to the original proposal of the Union of Soviet Socialist Republics that the conference take place in Belgrade and, in the circumstances, will appreciate the further comments of the Government of the Union of Soviet Socialist Republics in the light of this apparent misunderstanding.

The Secretary of State is transmitting copies of this communication to the Governments of the United Kingdom and France.

Washington, June 18, 1948

¹ See BULLETIN of June 6, 1948, p. 735. See also BULLETIN of June 20, 1948, p. 787, for an article on freedom of navigation on the Danube and the July issue of *Documents and State Papers*.

² Not printed.

U. N. Nationals Granted Postponement of Payment of Property Tax to Italian Government

[Released to the press June 25]

The Department of State has been informed by the American Embassy at Rome that the Italian Ministry of Finance has instructed local tax officials in Italy to grant United Nations nationals postponement of payment to the Italian Government of the extraordinary progressive tax on property in Italy belonging to physical persons and of the extraordinary proportional tax on property in Italy belonging to juridical persons. Such postponement is being granted pending decision by a conciliation commission, pursuant to the terms of the treaty of peace with Italy, as to the liability of United Nations nationals for such taxes. No postponement is being granted regarding the payment of that extraordinary proportional tax on property in Italy which has replaced the ordinary property tax.

Postponement of payment of the above-mentioned taxes is not automatic, but must be specifically requested by the United Nations nationals concerned or by their representatives in Italy. There are quoted below the instructions of the Italian Ministry of Finance regarding the procedure which shall apply with respect to postponement of (A) the extraordinary progressive tax and (B) the extraordinary proportional tax.

A. EXTRAORDINARY PROGRESSIVE TAX

"(1) Whenever the tax has already been entered on the register, as in most cases, collections of it shall be suspended by the Intendants of Finance upon written application of the tax payer concerned or his representative in Italy. Such application should be presented to the 'Intendenze di Finanza' or to the District Offices for Direct Taxes. Postponement shall be granted as an *ex gratia* concession for an undetermined period affecting the taxes entered on the register for the year 1948.

"In order to ascertain the status of United Nations nationals in relation to the question of taxation, it will be sufficient for each such national to attach to the application for postponement any document which will constitute evidence of such status. Such document will be returned as soon as the status of the applicant shall have been recorded at the Intendants of Finance or at the District Offices.

"(2) If the tax has not been entered on the tax register, such entry shall be suspended whenever the 'applicant's' tax returns contain reservations

as to the liability to the extraordinary tax specifically based on paragraph 6 of Article 78 of the Peace Treaty.

"If such reservations have not been made, it will be necessary for the tax payer to present a written application set out as above to the District Office, who will thereupon postpone the entry in the tax register unless the status of United Nations national of the applicant cannot be accurately determined at the District Office.

"(3) The postponement of payment or of entry in the register shall remain in force until new instructions shall have been issued by this Ministry.

B. EXTRAORDINARY PROPORTIONAL TAX

"(1) Postponement can only be granted at the specific application of the company concerned or of its representative in Italy.

"Such application shall be presented at the Intendenze di Finanza or at the District Offices with the necessary documentation showing that the company has been constituted under the laws of one of the United Nations concerned. This documentation will be required every time a company shall be liable to taxation under the last paragraph of Article 70 of the Legislative Decree of 11th October 1947, on the capital invested or existing in Italy.

"On the other hand, whenever a company constituted in Italy is concerned, the postponement may be granted whenever such company, during the period of the war, shall have been subjected to sequestration under the provisions of Article 5 of the War Law approved by Royal Decree No. 14 of the 8th July 1938.

"(2) Considering that the collection of the extraordinary tax payable by companies and juridical persons shall commence by an instalment falling due in August 1948, all offices shall postpone *sine die* the entry into the tax register as soon as they shall have received the written application for suspension, together with the evidence of the origin of the company on the one hand or of its sequestration during the war on the other.

"Such evidence may be returned to the applicants as soon as recorded in the books of the office concerned. Furthermore whenever the postponement shall have been requested after the entry in the tax register, the Intendenze di Finanza shall likewise suspend *sine die* the collection of the tax as an *ex gratia* concession."

U.S. Concern Over Deportation of Greek Children

[Released to the press June 24]

The United States Government noted with grave concern the findings of the United Nations Special Committee on the Balkans, adopted May 21, 1948, regarding the removal of a large number of children from the guerrilla-infested areas of Greece to Albania, Bulgaria, Yugoslavia, and certain other countries with the approval and assistance of the governments of these countries. It observed especially that in some instances the children were removed as the result of force or threats directed against their families by the Greek guerrillas.

This report was communicated through U.N. channels to the Governments of Albania, Bulgaria, Yugoslavia, Rumania, Hungary, Czechoslovakia, and Poland in order to discourage the further deportation of Greek children and bring about the return of those already removed. On the U.N. Committee's recommendation, the Greek Government also approached these Governments on June 2, proposing the direct discussion of arrangements for the repatriation of the children.

The United States Government earnestly hopes that the Governments thus addressed will make available without further delay full and factual information on any Greek children in their respective territories and promptly arrange for the repatriation of those who were separated from their families by force or the threat of force. Unsubstantiated allegations that the children were removed with the consent of their parents or for humanitarian reasons cannot be regarded as satisfactory in the light of the U.N. committee's findings and its conclusion that "the protracted retention of these children would be contrary to the accepted moral standards of international conduct".

Luxembourg Signs German Enemy Assets Agreement

[Released to the press June 25]

The Department of State announced on June 25 that Luxembourg signed on June 4, 1948, the agreement relating to the resolution of conflicting claims to German enemy assets.

Luxembourg is the fifth country to sign, Canada, the Netherlands, and the United States, having signed the agreement on December 5, 1947, and Belgium on January 5, 1948.¹ The agreement remains open for signature by the governments of the 13 other countries which are members of the Inter-Allied Reparation Agency. The agreement does not become binding on the United States until it has been approved by the Congress.

July 4, 1948

Progress of Bilateral Negotiations Under ECA

Statement by Assistant Secretary Thorp

[Released to the press June 20]

Tentative drafts of bilateral agreements under the Economic Cooperation Act were distributed over a month ago to the various European Governments which are members of the Organization for European Economic Co-operation. The purpose of these drafts was to provide a basis for discussion with the several governments. These discussions have been going forward actively but the negotiations have not yet been completed.

Various analyses have appeared in the press based upon these early tentative drafts, noting particularly provisions relating to exchange rates. At this point in the negotiations it can be said that in their present form, the proposed agreements contain no provisions with respect to exchange rates to which objection has been raised by any European government.

U.S. Cultural Leaders Awarded Grants-in-Aid

Dr. W. E. Keepper, professor of land economics, Pennsylvania State College, has received a grant-in-aid from the Department of State to enable him to accept an invitation from the Inter-American Institute of Agricultural Sciences at Turrialba, Costa Rica, to serve as an agricultural research consultant. His work, which will consist of instituting and developing a program of agricultural research, will be chiefly in the field of farm management.

In addition to his research program in Costa Rica, Dr. Keepper will also work in cooperation with the Colombian Government, under the auspices of the Institute, in assisting the International Coffee Institute of Colombia in the development of an economic program.

The Department has also awarded a grant-in-aid to Miss Carolyn G. Bradley, associate professor, School of Fine Arts, Ohio State University, to enable her to lecture and teach for a period of approximately five months at various cultural centers in Central America and the Caribbean area.

THE FOREIGN SERVICE

Confirmation

On June 17, 1948, the Senate confirmed the nomination of William E. DeCourcy to be American Ambassador Extraordinary and Plenipotentiary to Haiti.

¹ BULLETIN of Dec. 14, 1947, p. 1192 and Jan. 18, 1948, p. 93.

Sales of Surplus Combat Matériel During May 1948

[Released to the press June 22]

The following is a list of the sales of surplus combat matériel effected by the Department of State in its capacity as foreign surplus disposal agent, during the month of May 1948, and not previously reported to the Munitions Division:

Country	Description of matériel	Procurement cost	Sales price	Date of transfer
BRAZIL-----	Battery of four each field artillery trainers, M3-----	\$1, 699. 02	\$84. 96	5/20/4
CANADA-----	Miscellaneous spare parts of radio equipment-----	3, 879. 54	894. 66	5/27/4
CHILE-----	Miscellaneous cartridges, shells, and rockets-----	271, 559. 60	22, 409. 06	5/20/4
CHINA-----	Miscellaneous spare parts for aircraft (C-46s and C-47s)-----	3, 600, 250. 82	83, 096. 74	5/11/4
CUBA-----	Miscellaneous spare parts for revolvers, rifles, automatic rifles, bayonets, machine guns, sub-machine guns.	129, 184. 64	15, 000. 51	5/3/4
GUATEMALA-----	Recoil mechanism for 37 mm. gun, sub-caliber M1916, for 105 mm. howitzer M2A1.	854. 80	42. 76	5/20/4
TURKEY-----	300 periscopes, M3, with telescope; 65 periscopes, M4, with telescope; 33 periscopes, M5; 2 telescopes, M54; 115 tank engines, Continental radial model W670-9A; 600 bundles of track assemblies; miscellaneous spare parts for tank, light M3A3.	1, 661, 934. 79	83, 096. 74	5/26/4

Designating the International Joint Commission—United States and Canada as a Public International Organization Entitled To Enjoy Certain Privileges, Exemptions, and Immunities¹

[Released to the press by the White House June 26]

By virtue of the authority vested in me by section 1 of the International Organizations Immunities Act, approved December 29, 1945 (59 Stat. 669), and having found that the United States participates in the International Joint Commission—United States and Canada, established under the authority of the Treaty between the United States and Great Britain relating to the boundary waters between the United States and Canada, signed at Washington, January 11, 1909 (36 Stat. 2448), I hereby designate such organization as a public international organization entitled to enjoy the privileges, exemptions, and immunities conferred by the said Act.

The designation of the above-named organiza-

tion as a public international organization within the meaning of the said International Organizations Immunities Act is not intended to abridge in any respect privileges, exemptions, and immunities which such organization may have acquired or may acquire by treaty or Congressional action.

This order supplements Executive Orders No. 9698 of February 19, 1946, No. 9751 of July 1, 1946, No. 9823 of January 24, 1947, No. 9863 of May 31, 1947, No. 9887 of August 22, 1947, and No. 9911 of December 19, 1947.

Harry Truman

THE WHITE HOUSE,
June 25, 1948.

¹ Ex. Or. 9972 (13 Fed. Reg. 3573).

THE CONGRESS

Atomic Energy Issues—Continued from page 14.

ers of this Commission are certain that they have evolved and set forth in their reports the technical framework of a system of control which will be satisfactory and which, in the end, will be accepted and implemented by all nations. . . .

"I should like the Commission to think of this action by the majority members for what it is—a old challenge to the forces of reaction, of ignorance and of timidity to face up to the new conceptions of international organization which recognize the inescapable facts consequent upon our entry into the atomic age. . . ."

Resolution Concerning the International Control of Atomic Energy¹

The Security Council,

Having received and examined the First, the Second, and the Third Reports of the United Nations Atomic Energy Commission,

Directs the Secretary-General to transmit to the General Assembly and to the Member nations of the United Nations, the First, Second, and Third Reports of the Atomic Energy Commission, together with the record of the deliberations of the Security Council on this subject, as a matter of special concern.

¹ U.N. doc. S/852, June 22, 1948.

PUBLICATIONS

Department of State

For sale by the Superintendent of Documents, Government Printing Office, Washington 25, D.C. Address requests direct to the Superintendent of Documents, except in the case of free publications, which may be obtained from the Department of State.

Germany: Economic Fusion of American and British Zones of Occupation. Treaties and Other International Acts Series 1689. Pub. 3059. 11 pp. 5¢.

Agreement Between the United States of America and the United Kingdom of Great Britain and Northern Ireland Amending the Agreement of December 2, 1946—Signed at Washington December 17, 1947; entered into force December 17, 1947.

The Foreign Service of the United States: General Information and Pertinent Laws and Regulations, June 1, 1948. Pub. 3138. 66 pp. 20¢.

Diplomatic List, June 1948. Pub. 3170. 187 pp. 30¢ a copy; \$3.25 a year domestic, \$4.50 a year foreign.

Monthly list of foreign diplomatic representatives in Washington, with their addresses.

United States Foreign Policy for a Post-War Recovery Program: Hearings Before the Committee on Foreign Affairs, House of Representatives, 80th Cong., 1st and 2d sess., on United States foreign policy for a post-war recovery program, the first step being consideration of proposals for a European Recovery Program, including H.R. 4840, H.R. 4579, and similar measures: Part I, December 17, 1947, January 12, 13, 14, 15, 20, 21, 22, 27, 28, 29, February 3, 4, 5, 10, 11, 12, 1948; Part 2, February 17, 18, 19, 20, 24, 25, 26, 27, March 2, 3, 4, 5, 8, 10, 1948. ii, 2296 pp. [Department of State, pp. 48, 84, 86, 197, 230, 412, 476, 508, 569, 582, 584, 667, 670, 820, 832, 857, 858, 861, 1202, 1267, 1771, 1772, 1793, 1907, 1913.]

Question of Ownership of Captured Horses: Hearings Before a Subcommittee of the Committee on Armed Services, United States Senate, 80th Cong., 1st sess., on determining the basis of the contemplated return to Hungary of certain horses said to have been brought to the United States as captured war matériel; December 3, 5, 8, 9, 12, 15, 18, 19, 22, and 23, 1947. iii, 328 pp. [Department of State, 22, 59, 89, 202, 314.]

Proposed Treaty of Friendship, Commerce, and Navigation Between the United States and the Italian Republic: Hearing Before a Subcommittee of the Committee on Foreign Relations, United States Senate, 80th Cong., 2d sess., on a proposed treaty of friendship, commerce, and navigation between the United States and the Italian Republic; April 30, 1948. iii, 37 pp. [Department of State, p. 1.]

Great Lakes Fisheries: Executive Hearings Before the Committee on the Merchant Marine and Fisheries, House of Representatives, 79th Cong., 2d sess., pursuant to the authority of H. Res. 38, a resolution authorizing investigation of the National Defense Program as it relates to the Committee on the Merchant Marine and Fisheries; June 12 and 13, 1946. iv, 689 pp. [Department of State, p. 10.]

European Interim Aid and Government and Relief in Occupied Areas: Hearings Before the Committee on Appropriations, United States Senate, 80th Cong., 1st sess., on European interim aid and government and relief in occupied areas. ii, 914 pp. [Department of State, pp. 108, 157, 172, 370, 459, 555, 798.]

Hearings on Proposed Legislation To Curb or Control the Communist Party of the United States: Hearings Before the Subcommittee on Legislation of the Committee on Un-American Activities, House of Representatives, 80th Cong., 2d sess., on H.R. 4422 and H.R. 4581; Public Law 601 (Section 121, Subsection Q (2)); February 5, 6, 9, 10, 11, 19, and 20, 1948. iv, 500 pp.

Amending Section 32 of the Trading With the Enemy Act: Hearings Before the Committee on Interstate and Foreign Commerce, House of Representatives, 80th Cong., 2d sess., on H.R. 4903, H.R. 5188, and H.R. 5200, bills to amend section 32 of the trading with the enemy act; March 8, 1948. iii, 70 pp.

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Contributors

Bernhard G. Bechhoefer, author of the article on voting in the Security Council, is an expert on United Nations affairs, Division of United Nations Political Affairs, Office of United Nations Affairs, Department of State.

Andrew W. Anderson, author of the article on the Indo-Pacific Fisheries Council, is an officer in the Fish and Wildlife Service, Department of the Interior. Mr. Anderson served as delegate to the conference.

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The Department of State

Bulletin

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THE INSTITUTE OF INTER-AMERICAN AFFAIRS

Cooperative Education Programs

by Louis J. Halle, Jr.

I

Democracy is a system of government that places the ultimate responsibility for civilization and survival on the shoulders of the people. Its effectiveness depends on the preponderance of morally and intellectually responsible individuals in the populations that enjoy it. Education, in turn, is what produces responsible individuals. Education cannot solve today's problems, but today's education will determine the great issues of civilization or barbarism, plenty or hunger, war or peace for the generations of tomorrow. Those who are preoccupied with the problems of the moment will attach no importance to it, but those who take a view that embraces the future must invest it with supreme importance.

The character of the education that any country which has passed the stage of cultural tutelage affords to its new generations necessarily involves national traditions and objectives in so intimate a fashion that it is not a proper subject for active determination by governments, groups, or individuals outside that country. The technical means for attaining the objectives of education may be, however, a fit and fruitful subject for international exchange; and if we extend the word education to embrace training in technical skills, we have another large area in which such cooperation may be carried on for the mutual benefit of the nations in a community.

The components of the present Institute of Inter-American Affairs, established as a federal corpora-

tion in 1947, are the two former government corporations that respectively bore the names, Institute of Inter-American Affairs and Inter-American Educational Foundation. Although separately incorporated, they had virtually identical boards of directors, the same president, overlapping staffs, and use of the same administrative facilities. The transformation of the Educational Foundation into the Education Division of the Institute was not, therefore, a major change except in appearance. For convenience, it will be referred to throughout this article by its married name.

The Education Division was established in September 1943 to carry out programs of cooperation with other American republics in the field of pre-university education. Within that field, it was to be especially concerned with rural and agricultural education, education in matters of health, and vocational education. This emphasis is to be viewed in the light of a relationship among the respective undertakings of the Institute's three divisions: the Divisions of Food Production and of Health and Sanitation, in addition to that of Education. Nutrition is a factor in health; the health of farmers is a factor in food production; education and specialized training contributes to health and to the applied science of agriculture. Together, the respective programs of the three divisions supplement one another in giving essential support to the broad economic and social development of peoples. The education programs in

which the Institute participates are, therefore, part of a larger complex.

The Education Division has cooperated in programs with the Ministries of Education in 13 of the other American republics. Seven of these programs are continuing today: in Bolivia, Brazil, Ecuador, Guatemala, Panama, Paraguay, and Peru, respectively. They vary in their scope as well as in their scale. Thus the Paraguayan program is confined to the establishment of a small vocational school in Asunción for the training of badly needed mechanics, plumbers, carpenters, refrigeration and radio engineers, electricians, blacksmiths, weavers, and leather workers. Those in Bolivia, Peru, and Ecuador have the objective of applying specialized educational techniques to the Indian populations over a large part of the Andean highlands. What is being done in Bolivia will serve here as an example of a major program.

II

The entire approach to the education problems of the Bolivian Indians has been based on the principle that the established systems and techniques of education among urban white populations are not necessarily suited to the simple culture and environment of rural Indians. The terms of the Bolivian Indian's environment do not require him to have a good background of European history or an ability to recite passages from Cicero, but they do make it advisable for him to know the arithmetic of the market place, the significance of household sanitary precautions, and vegetable gardening.

The mass of Bolivian Indians live in a spectacular but not a fruitful environment. Most of them inhabit a great intermontane plain (the *altiplano*) bounded by the snow-capped peaks of the eastern Andes, on one side, and of the coastal range on the other. The inhabitants of Tibet might feel at home here, although a general altitude of 13,000 feet would be more than they were used to. This plateau is hard and stony in large parts, so that the casual visitor sometimes wonders how it is possible to grow anything on it besides the coarse native grasses on which herds of llamas and sheep subsist. Potatoes, however, were grown here before Columbus and are staple today. The Indians along the shore of that vast and lofty lake, Titicaca, also cast their nets for fish

from the balsa craft that they have used since pre-Columbian and even pre-Incan times.

These Indians were conquered by the Inca of Peru about the time Columbus was a boy, and their highlands were incorporated into the Inca empire. A couple of generations later, the white men arrived from Europe and began to take over. There has been more cultural continuity among them, however, than one might expect after four centuries of white rule. They still speak Aymara (or Quechua) as their native tongue and have preserved much of their specific cultural identity. Today they constitute, perhaps, some 80 percent of the population of Bolivia and are the almost universal element of the population outside the few cities.

You have to picture these Indians living in little compounds of adobe huts and stone corrals or in occasional villages scattered up and down the long *altiplano* or tucked away in folds of the surrounding mountains. Not the least conspicuous among the buildings in any community is the schoolhouse. When the cooperative program in Bolivia was undertaken in 1945, a potentially effective system for the administration of these rural schools had already been developed by the Bolivians. They had, in some areas, been grouped in *nucleos* consisting of several satellite schools depending on a central or "nuclear" school. The satellite schools were supervised and, in fact, administered by the nuclear school. This system provided a good foundation for the cooperative program and was developed forthwith. There were thirty-odd *nucleos* in 1945 of from 15 to 20 schools apiece, 41 at the end of 1946, 51 by the early months of 1948. The reforms introduced under the program were disseminated through the directors and teachers in the nuclear schools, who took responsibility for communicating them to the other schools of the system.

At the same time, a small number of strategically placed rural normal schools were chosen as training centers for teachers, directors of nuclear schools, and supervisors. These were given improved physical plants, strong administration, and practice-demonstration schools for the use of their students. A series of summer schools, special courses, seminars, and "workshops" was carried on for the training of teachers and school supervisors, and for the stimulation, exchange, and development of ideas among them. Finally, nine Bolivian

educators were brought to the United States for varying periods of intensive training, observation, or consultation. So much for the organization on which the program is based.

The actual contents of the education for school children that has been developed under the program bear on the practical conduct of life within the possibilities open to the Indian farmers of Bolivia. Emphasis is given to nutrition, health, use of clothing, personal and community hygiene; to the conservation of soils, the improvement of livestock, the development of home industries, the diversification of crops, and the institution of better agriculture methods.

It has been customary, in the past, for the school children of the *altiplano* to arrive at school hungry after walking long distances, to sit through the school day without food, and to make the long walk home again on stomachs still empty. Under the program, the Bolivian Ministry of Education and the Institute have been providing for the preparation, in the schools, of breakfasts and, in some cases, of lunches. Alleviation of hunger is only one purpose. The educational purpose lies in the occasion this gives to educate the children in the preparation of well-balanced meals, the principles of nutrition, and in methods of storage and preservation. They learn by doing.

They also learn hygiene by doing. Through the cooperative efforts of the children and the adults of their families, latrines are built, not only on the school grounds but on individual farms as well. Other projects of this sort include whitewashing the interiors of dwellings and painting them with a solution containing DDT, exclusion of farm animals from the interiors of homes, drainage, the protection of water supplies, and so on.

The three R's are also taught but with specific reference to the environment in which they find their use. The primers and readers by which the child learns to read contain accounts of the scenery of the *altiplano*, of his own home life, of farms and markets and schools that he recognizes. His arithmetic is based on the measurements of his parental farm, on the census of its animals, and on the weights and prices that govern transactions in the local markets. The slyness of his mentors is manifested by insinuating into these texts little lessons about the principles of agriculture and good health.

Now all this is not something that has been imposed on the rural teachers of Bolivia by the Bolivian and United States experts responsible for the conduct of the program. In great degree, the teachers have themselves worked out the new curriculum and put it into practice. The experts have provided much of the organization and the stimulus and have served as catalytic agents in bringing about the combination of ideas. They have also, of course, made suggestions of their own. One of the products of the "workshops" in which the teachers and directors have participated is a *Guía Didáctica*, or teacher's manual, embodying the ideas developed in common. This *Guía* has been printed and placed in use officially, but it is by no means final. The intention is that it shall undergo frequent revision in the light of experience gained from its use.

For the most part the teachers must work with few and simple materials of instruction, locally devised and locally produced. This is not to say that some sophisticated modern methods of instruction are not also in use under the program—slides, motion pictures, recordings. Although their use is generally confined to the instruction of teachers in normal schools and "workshops" they are often brought to individual schools by means of sound-trucks.

Ostensibly, the sole objective of the education program in Bolivia is the education of children in the rural Indian communities. Actually, its objective embraces each community as a whole. It reaches out to the adults through the children. The rural school, for this purpose, is conceived to be the center of the community, and is developed as such. The mechanics of dissemination take the form of rural school clubs (*clubs escolares campesinos*), similar to our 4-H Clubs, and parent-teacher associations. By these means, and others, the adults are drawn into the beneficent processes of learning and are given some chance to keep abreast of their children in matters of hygiene, agriculture, and other aspects of a healthy community life.

III

Neither the Andes nor the Indians stop at the borders of Bolivia. They continue into Peru and into Ecuador, in both of which countries the Education Division of the Institute is cooperating with

the respective Ministries of Education in programs similar to that in Bolivia. Common problems argue common solutions and a common search for solutions. The result is that inter-American cooperation has developed some ramifications here beyond the bilateral. Some years ago the present President of Peru, then Minister to Bolivia, suggested that the two countries develop a common plan for the education of their *altiplano* populations. The suggestion was not translated into immediate action. Most of us have learned that the scope and stress of daily governmental affairs is such that suggestions and proposals, like the seeds of plants, must often lie dormant for some time before they begin to put forth. After the cooperative education programs were inaugurated in Peru and Bolivia, and in connection with them, the President's suggestion demonstrated its viability in the form of a meeting between the Ministers of Education of the two republics. These two Ministers proceeded to call the Ministers of Health and of Agriculture, Peruvian and Bolivian, into consultation with them, and the upshot was Bolivian-Peruvian cooperation in the respective programs of education. Later, Ecuador joined in.

Educators and administrators of these three South American republics have since participated together in "workshops" and similar enterprises. They have established the practice of exchanging information on school laws, curricula, teaching materials, and teacher's manuals. The result has been to enhance the effectiveness of the measures taken in each country by the contributions of the others. This is a worthwhile and admirable example of how nations can live together constructively. It is, albeit on a very small scale, the kind of thing on which peace, understanding, and prosperity depend.

The Education Division has also cooperated in programs of rural education, varying in scale and emphasis from country to country, in Brazil, Costa Rica, El Salvador, Guatemala, Haiti, and Honduras. In some of these, activities have been confined to the training of teachers in normal schools; in others the programs have been specialized and vocational. Both the Panamanian and Paraguayan programs have been exclusively vocational. The program in Brazil has been two fold:

¹ BULLETIN of May 23, 1948, p. 659; June 13, p. 758; June 27, p. 819.

vocational agriculture carried on in cooperation with the Ministry of Agriculture and trade and industrial education in cooperation with the Ministry of Education. The Chilean program has operated within the broad field of secondary education. The program in the Dominican Republic was directed at vocational education, physical education, and the teaching of English.

IV

This concludes the last in a series of four articles on the Institute of Inter-American Affairs and its activities as expressions of United States foreign policy.¹ The first established the general setting and significance; the others have given a summary view of what is actually being done by the specific cooperative devices in the development of agriculture, in the promotion of health and sanitation, and in education.

Returning now, for a final moment, to the mood and matter of the first article, I draw attention to one essential feature of all this work that has not yet proved and justified itself. These programs are essentially long-range. Inaugurating them is like planting so many fruit trees. It implies optimism with respect to one's ability to continue their cultivation over the years until they come to full fruition. The simile is, of course, exaggerated with respect to certain aspects of these programs. The mere fact of constructive cooperation among nations yields immediate results in closer international understanding and friendship. It represents in itself a reduction of international barriers. But the solid aim of an agriculture program, after all, is permanently to develop and strengthen the agriculture of a nation. Actual fruit trees may be involved. There are processes of growth that must have their time. Sanitation is more quickly accomplished, in most cases, but it cannot be permanent unless, concurrently, there is an implantation of certain ideas and attitudes among the populations to be protected, who must at least know how to protect themselves. Education, especially, puts the future under tribute to the present.

This raises the question whether modern governments, with the changing stresses and vicissitudes to which they are subject, can maintain the course in such matters over a sufficient period of years. The success of what has already been done can best be judged by the generation that follows our own.

FOREIGN AID AND RECONSTRUCTION

The European Recovery Program Agreements—A New International Era

BY ERNEST A. GROSS¹

Legal Adviser

It is fitting that an association of lawyers which sponsored the European Recovery Program prior to its adoption by the Congress should be the first to hold public discussion of a vital phase of the program now about to get under way. Certainly, the expenditure of billions and the provision of vast tonnage of supplies moving across the seas is thought of, by many of our citizens, as the whole of the "Marshall Plan". A giant market, with some goods marked "free" and others "loan", although frightening by its size, makes a ready mental image. But the ERP is a recovery program, not a grocery business. And the spending of billions, and the moving of supplies through mending pipe lines of warehouses and ships is not unprecedented; it has happened on an unimaginable scale twice in our own lifetime, but the objective each time was victory in war, not recovery in peace.

The vital phase of the program now about to get under way, to which I have referred, is the system of bilateral agreements which next week will introduce a new era in our relations with Europe. These agreements, unique in the history of dealings between modern states, can be the machine for genuine economic cooperation and recovery, or they can be the instruments of deep international rancor and friction. It is for this reason that the problems these agreements will create should be discussed candidly now, and that they should be discussed by lawyers, trained to the legal tradition of interpreting agreements in the light of their objectives and applying the rule of reason and the common-sense test of good faith.

The agreement between the United States and each participating European country crystallizes the basic purpose of the program: we shall help European nations to help themselves to recovery in such a way as to become independent of outside assistance. Lest there be any misunderstanding of the sincerity of our professed objective in this regard, each agreement explicitly sets this forth at the very outset. In solemn covenant between ourselves and each sovereign European participant, we thus refute the charge frequently made by opponents of the program, and keynoted by the declaration adopted at the first meeting

of the Cominform that the Marshall Plan is but the European subsection of a general United States plan for global expansion.

The agreements crystallize the conditions of our assistance as well as the purposes of the program. The legislation itself provides that the continuity of assistance provided by the United States should, at all times, be dependent upon continuity of cooperation among the participating countries. But "cooperation" is a rubbery yardstick, as the usages of police states make clear. Hence, the democratic governments, genuinely desirous of finding effective measures of self-help and mutual aid in order to achieve recovery, met together and exchanged pledges among each other, which were embodied in the historic report of the Committee of European Economic Co-operation, September 1947.²

However, the United States was neither a member of the European Committee nor a party to its reciprocal pledges. That Committee, and its successor, the Organisation for European Economic Co-operation, has been and will remain an organization of *European* countries dedicated to "*close and lasting cooperation*" as well as to the immediate task of developing and carrying out a joint recovery program. I underscore, as well as quote, the phrase "close and lasting cooperation", from the charter of the organization.

It will be apparent that although the Organisation for European Economic Co-operation could be born and even, perhaps, survive as an organ of lasting European cooperation without temporary United States economic assistance, it could not possibly serve its essential immediate purpose of accomplishing a *recovery* program without the ingredients for European recovery. The dollar transfusion is no mere act of charity: it is a gift of life itself. More than that, as the Senate Committee on Foreign Relations said in its Report, "free institutions and genuine independence cannot perish in Europe and be secure in the rest of the world".

¹ Address delivered before the New York State Bar Association, Lake Placid, N.Y., July 2, 1948, and released to the press on the same date.

² Department of State publications 2930 and 2952.

But the American people—all of us—are tired of generalities, skeptical of slogans, and above all, fed up with rat-hole relief. The Executive branch of the Government in submitting the program and the Legislative branch in approving it, insisted, in the words of the House Committee on Foreign Affairs that “primary emphasis” must be placed “on encouraging the participating nations to help themselves and each other”, and that “the success of the program rests upon the willingness and good faith of these countries in carrying out their pledges” to that end.

I am sure that the people of this country are convinced, as this association must have been convinced in endorsing the program, that “the program is necessary to prevent the United States from being confronted with a world so unbalanced and hostile as to present almost insuperable burdens to the people of the United States in the future, if Europe is not once more rendered free and adequately strong, both in its political and economic life”. (I have again quoted the language of the House Foreign Affairs Committee.)

This is the purpose and the setting against which we are discussing the bilateral agreements which I have said introduce a new era in our relations with participating countries of Europe. These agreements respect the dignity of the participating countries as well as of the United States and give assurance that our assistance will be used to the best possible advantage. However, like all compacts or basic charters they must be appraised, interpreted, and applied in the light of the vast purposes which they are intended to achieve. The undertakings of the participating nations burrow deep into the internal economy of each country, intimately affecting the daily lives of the 250 million inhabitants of western Europe.

Never before in history, so far as I am aware, has any nation undertaken by solemn international agreement to use its best endeavors “to adopt or maintain the measures necessary to ensure efficient and practical use of all the resources available to it”; “to promote the development of industrial and agricultural production on a sound economic basis”; and “to stabilize its currency, establish or maintain a valid rate of exchange, balance its governmental budget as soon as practicable, create or maintain internal financial stability”.

Undertakings of this magnitude surely require a mature and reasoned appraisal, comparable in many respects to the judicial approach toward the application of constitutional doctrines of due process, interstate commerce, or freedom of contract. Our responsibility for realistic and wise interpretation is as solemn as is the duty of each signatory to discharge its undertakings with unchallengeable good faith. And that responsibility on our part, which is an inevitable corollary of our position of

leadership, is in some measure in the custody of the bar of this country.

I have said that these agreements can be instruments of genuine cooperation on a scale never before attempted or that they can bring about serious international misunderstandings and friction. The latter will be a danger only to the extent that Americans fail to understand that, as is true of all basic charters, these agreements are essentially between peoples, not governments. And we bear responsibility for wise interpretation and application of the agreements not merely because they embody the general, basic undertakings to which we have already referred.

In addition, the participating countries make commitments of a more specific nature which I shall illustrate briefly, for the purpose of underlining the necessity of appreciating fully that these agreements do in fact represent a new pattern in our international relations.

Each country undertakes, with respect to assistance provided on a grant basis, to deposit in a special account the local currency equivalent of the value of our assistance. Thereafter, that country may make expenditures from the account only in accordance with the agreement with the United States.

In general, such expenditures are to take into account the need for promoting internal monetary and financial stabilization in the participating country, the stimulation of productive activity, and international trade, and the development of new resources required not only by the participating country but also by ourselves. The agreements also provide that the fund may be used for the effective retirement of the national debt of each participating country. Inasmuch as the Congress has authorized the expenditure of five billion dollars during the first twelve months, of which over half probably will be made available on a grant basis, the impact upon the internal economy of many of the participating countries through the administration of these funds becomes clear. The United States will have a voice in the expenditures by participating countries of amounts of local currency which in certain instances may well exceed the total value of the currency in circulation in the country concerned.

I have referred to the fact that the local currency deposits may be expended for the exploration and development of materials required by this country. There are additional provisions in the agreements which require participating countries to facilitate the sale, exchange, or other method of transfer to the United States for stockpiling or other purposes of materials available in such country and required by the United States. The quantities to be available for transfer are to be agreed to between the two governments with due regard for the reasonable requirements of the participating country for its domestic use and com-

mercial export of such materials. The agreements also contemplate future subsidiary agreements according suitable protection to the right of access of any citizen of the United States, including any corporation or other association created under the laws of the United States, to the development of raw materials within participating countries on terms of treatment equivalent to those afforded to the nationals of the participating country concerned. This provision extends an "open door" policy in a strictly modern sense, and will be applied in a manner which will neither injure the economy of the participating country concerned,

nor hamper the accomplishment of the broad objectives of the European Recovery Program.

These illustrative examples, drawn from the agreements, will suffice to show to the members of the association the gravity of the general obligations which have been freely undertaken by sovereign states. You are, I believe, the first group to discuss this matter publicly. I am certain that as operations under the agreements get under way, as problems of their application and interpretation arise, and as the objectives of the undertakings come closer to fruition, this association will lead the way to clearer and fuller public understanding.

Economic Cooperation Agreement With Italy Signed¹

SUMMARY OF AGREEMENT

The preamble recites the general purposes of the recovery program and the objectives which the United States Congress had in mind in enacting the Economic Cooperation Act of 1948.

In article I, the Government of the United States states its intention to furnish assistance to Italy within the terms set by the Congress. The undertaking of the United States is, of course, subject to the necessity of United States approval of all assistance and to the right of the United States to terminate aid at any time in accordance with the act. The Government of Italy undertakes generally to exert sustained efforts to accomplish the recovery program. The third paragraph contains an undertaking by Italy that in cases where supplies are procured outside the United States with ECA² funds, Italy will cooperate with any arrangements which the United States may make to insure the use of a reasonable proportion of the dollar proceeds for private trade and financial transactions with the United States.

Article II contains the general undertakings which are closely parallel to the mutual pledges contained in the report of the Committee of European Economic Co-operation issued September 1947 and in the Paris convention of April 16, 1948. These undertakings include agreement by Italy to make efficient and practical use of all its resources including aid made available under the recovery program, to mobilize assets in the United States belonging to Italians, to promote production, to take the necessary measures to establish financial stability, and to further the increase of trade. There are additional undertakings to cooperate in arrangements to make full use of the manpower available in Europe and to take action with respect to restrictive business practices, such as cartels, which would have the effect of interfering with the achievement of the recovery program.

Article III provides for the consultation be-

tween the two Governments which is necessary in order that the United States may, under section 111(b)(3) of the act, guarantee the convertibility into dollars of new private American investments in projects in Italy approved by the Italian Government.

Article IV relates to the deposits of the local currency counterpart of assistance made available to Italy as a grant. The Italian Government will establish a special account to which there will be credited the lira equivalent of the dollar cost of

Signing of the First of the Agreements

The first of the economic cooperation agreements under the Economic Cooperation Act of 1948 were signed June 28 in Dublin and Rome. It is expected that the agreements with most of the other participating countries will be signed this week and will be closely similar. Announcements concerning signing of the other agreements will be made in the respective capitals and in Washington.

The agreements parallel the convention for European economic recovery which was signed in Paris by the participating countries on April 16, 1948, and in addition establish the framework of relationships with the United States within which assistance under the program will be carried out. The general nature of the agreements follows the provisions of section 115 (b) of the Economic Cooperation Act.

¹ Released to the press June 28, 1948.

² Economic Cooperation Administration.

United States grants. These lire will be used for administrative expenses of the United States in Italy arising under the program, for the internal cost of the transportation of relief packages and for other purposes agreed between the two Governments, including the development of productive capacity within Italy, exploration for and the development of production of materials of which the United States is or may be deficient, the retirement of the national debt, and other noninflationary purposes.

Under article V Italy agrees to work out with the United States arrangements by which the United States can obtain increased quantities of materials needed because of deficiencies or potential deficiencies in United States resources. Detailed arrangements with regard to specific materials are to be made later under this article.

Under article VI Italy agrees to cooperate in facilitating American travel to Italy and also agrees to negotiate subsequent agreements regarding free entry of relief supplies, including private relief packages, to Italy.

Under article VII Italy agrees to furnish to the Government of the United States the full information necessary for planning and carrying out the recovery program. In addition the two Governments agree to consult at the request of either one regarding any matters arising out of the agreement.

Article VIII recognizes the necessity of full publicity—particularly in Europe—for the program and the assistance furnished by the United States.

Article IX makes provision for a special mission to carry out United States responsibilities in Italy under the agreement, including the observation and review of the carrying out of the program and further makes provision for appropriate status for the joint congressional Committee on Foreign Economic Cooperation and its staff.

Article X provides for arbitration of claims arising as a consequence of governmental meas-

ures. Such claims may be presented either before the International Court of Justice or a mutually agreed arbitral tribunal. Although Italy is not a member of the International Court it agrees to submit to its jurisdiction in such cases upon the request of the United States. It has been additionally agreed that when Italy becomes a member of the Court, the undertaking will be reciprocal as it is in the cases of countries which have already submitted to the jurisdiction of the Court. It is made clear that the submission of claims under this paragraph will depend upon there having been an exhaustion of the remedies available in the established courts within the respective countries.

Under article XII the agreement remains in force until June 30, 1953, a year after the termination of the projected four-year program. This will allow a period after assistance ceases for the completion of the many operating matters which result from assistance. There is a further provision that if either Government considers that there has been a fundamental change in the basic assumption underlying the agreement, as for example, a termination of assistance at a date earlier than anticipated, the Governments shall consult as to whether the agreement should be modified or terminated. If there is not agreement on this point, a six months' notice of termination of the agreement may be given. Such termination, however, would be subject to the following limitations:

(a) The agreement with regard to scarce materials continues for two years from the notice of termination;

(b) The provision relating to the local currency deposits remains in effect until agreement has been reached as to the disposition of such deposits; and

(c) Any subsidiary agreements or arrangements such as those relating to scarce materials will be governed by their own terms.

It is provided that the agreement will be registered with the United Nations.

TEXT OF AGREEMENT

PREAMBLE

The Governments of the United States of America and Italy:

Recognizing that the restoration or maintenance in European countries of principles of individual liberty, free institutions, and genuine independence rests largely upon the establishment of sound economic conditions, stable international economic relationships, and the achievement by the countries of Europe of a healthy economy independent of extraordinary outside assistance;

Recognizing that a strong and prosperous European

economy is essential for the attainment of the purposes of the United Nations;

Considering that the achievement of such conditions calls for a European recovery plan of selfhelp and mutual cooperation, open to all nations which cooperate in such a plan, based upon a strong production effort, the expansion of foreign trade, the creation or maintenance of internal financial stability and the development of economic cooperation, including all possible steps to establish and maintain valid rates of exchange and to reduce trade barriers;

Considering that in furtherance of these principles the

Article II. General Undertaking

1. In order to achieve the maximum recovery through the employment of assistance received from the Government of the United States of America, the Government of Italy will use its best endeavors;

(A) To adopt or maintain the measures necessary to ensure efficient and practical use of all the resources available to it, including

1) Such measures as may be necessary to ensure that the commodities and services obtained with assistance furnished under this Agreement are used for purposes consistent with this Agreement and, as far as practicable, with the general purposes outlined in the schedules furnished by the Government of Italy in support of the requirements of assistance to be furnished by the Government of the United States of America;

2) The observation and review of the use of such resources through an effective followup system approved by the Organization of European Economic Cooperation and

3) To the extent practicable, measures to locate, identify and put into appropriate use in furtherance of the joint program for European Recovery assets, and earnings therefrom, which belong to nationals of Italy and which are situated within the United States of America, its territories or possessions. Nothing in this clause imposes any obligation on the Government of the United States of America to assist in carrying out such measures or on the Government of Italy to dispose of such assets.

(B) To promote the development of industrial and agricultural production on a sound economic basis; to achieve such production targets as may be established through the Organization for European Economic Cooperation; and when desired by the Government of the United States of America to communicate to that Government detailed proposals for specific projects contemplated by the Government of Italy and to be undertaken in substantial part with assistance made available pursuant to this agreement including whenever practicable projects for increased production of food, steel and transportation facilities; and

(C) To stabilize its currency, establish or maintain a valid rate of exchange, balance its governmental budget as soon as practicable, create or maintain internal financial stability, and generally restore or maintain confidence in its monetary system; and

(D) To cooperate with other participating countries in facilitating and stimulating an interchange of goods and services among the participating countries and with other countries and in reducing public and private barriers to trade among themselves and with other countries.

2. Taking into account Article 8 of the Convention for European Economic Cooperation looking toward the full and effective use of manpower available in the various participating countries, the Government of Italy, with due regard for the urgency and importance of its own problem of surplus manpower, will accord sympathetic consideration to proposals made in conjunction with the International Refugee Organization, directed to the largest practicable utilization of manpower available in any of the participating countries in furtherance of the accomplishment of the purposes of this agreement.

3. The Government of Italy will take the measures which it deems appropriate, and will cooperate with other participating countries, to prevent, on the part of private or public commercial enterprises, business practices or business arrangements affecting international trade which restrain competition, limit access to markets or foster monopolistic control whenever such practices or arrangements have the effect of interfering with the achievement of the Joint Program of European recovery;

Article III. Guaranties

1. The Governments of the United States of America and Italy will, upon the request of either Government,

Government of Italy has joined with other like minded nations in a Convention for European Economic Cooperation signed at Paris on April 16, 1948 under which the signatories of that Convention agreed to undertake as their immediate task the elaboration and execution of a joint recovery program, and that the Government of Italy is a member of the Organization of European Economic Cooperation created pursuant to the provisions of that Convention;

Considering also that, in furtherance of these principles, the Government of the United States of America has enacted the Economic Cooperation Act of 1948, providing for the furnishing of assistance by the United States of America to nations participating in a joint program for European recovery, in order to enable such nations through their own individual and concerted efforts to become independent of extraordinary outside economic assistance;

Taking note that the Government of Italy has already expressed its adherence to the purposes and policies of the Economic Cooperation Act of 1948;

Desiring to set forth the understandings which govern the furnishing of assistance by the Government of the United States of America under the Economic Cooperation Act of 1948, the receipt of such assistance by Italy, and the measures which the two Governments will take individually and together in furthering the recovery of Italy as an integral part of the joint program for European Recovery;

Have agreed as follows:

Article I. Assistance and Cooperation

1. The Government of the United States of America undertakes to assist Italy by making available to the Government of Italy or to any person, agency or organization designated by the latter Government, such assistance as may be requested by it and approved by the Government of the United States of America. The Government of the United States of America will furnish this assistance under the provisions, and subject to all of the terms, conditions, and termination provisions of the Economic Cooperation Act of 1948, Acts amendatory and supplementary thereto and Appropriation Acts thereunder, and will make available to the Government of Italy only such commodities, services and other assistance as are authorized to be made available by such Acts.

2. The Government of Italy, acting individually and through the Organization of European Economic Cooperation, consistently with the Convention for European Economic Cooperation signed at Paris on April 16, 1948 will exert sustained efforts in common with other participating countries speedily to achieve through a Joint Recovery Program economic conditions in Europe essential to lasting peace and prosperity and to enable the countries of Europe participating in such a Joint Recovery Program to become independent of extraordinary outside economic assistance within the period of this agreement. The Government of Italy reaffirms its intention to take action to carry out the provisions of the general obligations of the Convention of European Economic Cooperation, to continue to participate actively in the work of the Organization of European Economic Cooperation, and to continue to adhere to the purposes and policies of the Economic Cooperation Act of 1948.

3. With respect to assistance furnished by the Government of the United States of America to Italy and procured from areas outside the United States of America, its territories and possessions, the Government of Italy will cooperate with the Government of the United States of America in ensuring that procurement will be effected at reasonable prices and on reasonable terms, and so as to arrange that the dollars thereby made available to the country from which the assistance is procured are used in a manner consistent with any arrangements made by the Government of the United States of America with such country.

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consult respecting projects in Italy proposed by nationals of the United States of America and with regard to which the Government of the United States of America may appropriately make guaranties of currency transfer under Section 111 (b) (3) of the Economic Cooperation Act of 1948.

2. The Government of Italy agrees that if the Government of the United States of America makes payment in United States dollars to any person under such a guaranty, any lire or credits in lire, assigned or transferred to the Government of the United States of America pursuant to that Section shall be recognized as property of the Government of the United States of America.

Article IV. Local Currency

1. The provisions of this Article shall apply only with respect to assistance which may be furnished by the Government of the United States of America on a grant basis.

2. The Government of Italy will establish a special account in the Bank of Italy in the name of the Government of Italy (hereinafter called the Special Account) and will make deposits in lire to this account as follows:

(a) The unencumbered balance at the close of business on the day of the signature of this Agreement in the special accounts in the Bank of Italy in name of the Government of Italy established pursuant to the Agreements between the Government of the United States of America and the Government of Italy made on July 4, 1947 and on January 3, 1948 and any further sums which may, from time to time, be required by such agreements to be deposited in the special accounts. It is understood that Subsection (e) of Section 114 of the Economic Cooperation Act of 1948 constitutes the approval and determination of the Government of the United States of America with respect to the disposition of such balances, referred to in those Agreements.

(b) The unencumbered balances of the deposits made by the Government of Italy pursuant to the exchange of notes between the two Governments dated April 20, 1948.

(c) Amounts commensurate with the indicated dollar cost to the Government of the United States of America of commodities, services and technical information (including any costs of processing, storing, transporting, repairing or other services incident thereto) made available to Italy on a grant basis by any means authorized under the Economic Cooperation Act of 1948, less, however, the amount of the deposits made pursuant to the exchange of notes referred to in Subparagraph (b). The Government of the United States of America shall from time to time notify the Government of Italy of the indicated dollar cost of any such commodities, services and technical information, and the Government of Italy will thereupon deposit in the Special Account a commensurate amount of lire computed at a rate of exchange which shall be the par value agreed at such time with the International Monetary Fund; provided that this agreed value is the single rate applicable to the purchase of dollars for imports into Italy. If at the time of notification a par value for the lira is agreed with the Fund and there are one or more other rates applicable to the purchase of dollars for imports into Italy, or, if at the time of notification no par value for the lira is agreed with the Fund, the rate or rates for this particular purpose shall be mutually agreed upon between the Government of Italy and the Government of the United States of America. The Government of Italy may at any time make advance deposits in the Special Account which shall be credited against subsequent notifications pursuant to this paragraph.

3. The Government of the United States of America will from time to time notify the Government of Italy of its requirements for administrative expenditures in lire

within Italy incident to operations under the Economic Cooperation Act of 1948, and the Government of Italy will thereupon make such sums available out of any balance in the Special Account in the manner requested by the Government of the United States of America in the notification.

4. Five percent of each deposit made pursuant to this Article in respect of assistance furnished under authority of the Foreign Aid Appropriation Act, 1948, shall be allocated to the use of the Government of the United States of America for its expenditures in Italy, and sums made available pursuant to paragraph three of this Article shall first be charged to the amounts allocated under this paragraph.

5. The Government of Italy will further make such sum of lire available out of any balances in the Special Account as may be required to cover costs (including port, storage, handling and similar charges) of transportation from any point of entry in Italy to the consignee's designated point of delivery in Italy of such relief supplies and packages as are referred to in Article VI.

6. The Government of Italy may draw upon any remaining balance in the Special Account for such purpose as may be agreed from time to time with the Government of the United States of America. In considering proposals put forward by the Government of Italy for drawings from the Special Account the Government of the United States of America will take into account the need for promoting or maintaining internal monetary and financial stabilization in Italy and for stimulating productive activity in international trade and the exploration for and development of new sources of wealth within Italy, including in particular:

(a) Expenditures upon projects or programs, including those which are part of a comprehensive program for the development of the productive capacity of Italy and the other participating countries, and projects or programs the external costs of which are being covered by assistance rendered by the Government of the United States of America under the Economic Cooperation Act of 1948 or otherwise, or by loans from the International Bank for reconstruction and development;

(b) Expenditures upon the exploration for and development of additional production of materials which may be required in the United States of America because of deficiencies or potential deficiencies in the resources of the United States of America; and,

(c) Effective retirement of the national debt, especially debt held by the Bank of Italy or other banking institutions.

7. Any unencumbered balance other than unexpended amounts allocated under paragraph 4 of this Article remaining in the Special Account on June 30, 1952, shall be disposed of within Italy for such purposes as may hereafter be agreed between the Governments of the United States of America and Italy, it being understood that the agreement of the United States of America shall be subject to approval by act or joint resolution of the Congress of the United States of America.

Article V. Access to materials

1. The Government of Italy will facilitate the transfer to the United States of America, for stockpiling or other purposes, of materials originating in Italy which are required by the United States of America as a result of deficiencies or potential deficiencies in its own resources upon such reasonable terms of sale, exchange, barter or otherwise, and in such quantities, and for such period of time, as may be agreed to between the Governments of the United States of America and Italy, after due regard for the reasonable requirements of Italy for domestic use and commercial export of such materials. The Government of Italy will take such specific measures as may be neces-

nary to carry out the provisions of this paragraph, including the promotion of the increased production of such materials within Italy, and the removal of any hindrances to the transfer of such materials to the United States of America. The Government of Italy will, when so requested by the Government of the United States of America, enter into negotiations for detailed arrangements necessary to carry out the provisions of this paragraph.

2. Recognizing the principle of equity in respect to the drain upon the natural resources of the United States of America, and of the participating countries, the Government of Italy will, when so requested by the Government of the United States of America, negotiate where applicable (a) a future schedule of minimum availabilities to the United States of America for future purchase and delivery of a fair share of materials originating in Italy which are required by the United States of America as a result of deficiencies or potential deficiencies in its own resources at world market prices so as to protect the access of the United States industry to an equitable share of such materials either in percentages of production or in absolute quantities from Italy, (b) arrangements providing suitable protection for the right of access for any citizen of the United States of America or any corporation, partnership, or other association created under the laws of the United States of America or of any state or territory thereof and substantially beneficially owned by citizens of the United States of America, in the development of such materials on terms of treatment equivalent to those afforded to the nationals of Italy, and, (c) an agreed schedule of increased production of such materials where practicable in Italy and for delivery of an agreed percentage of such increased production to be transferred to the United States of America on a long-term basis in consideration of assistance furnished by the United States of America under this Agreement.

3. The Government of Italy when so requested by the Government of the United States of America, will cooperate whenever appropriate to further the objectives of paragraphs 1 and 2 of this Article in respect of materials originating outside of Italy.

Article VI. Travel Arrangements and Relief Supplies

1. The Government of Italy will cooperate with the Government of the United States of America in facilitating and encouraging the promotion and development of travel by citizens of the United States of America to and within participating countries.

2. The Government of Italy will, when so desired by the Government of the United States of America, enter into negotiations for agreements (including the provisions of duty-free treatment under appropriate safeguards) to facilitate the entry into Italy of supplies of relief goods donated to or purchased by United States voluntary non-profit relief agencies and of relief packages originating in the United States of America and consigned to individuals residing in Italy.

Article VII. Consultation and Transmittal of Information

1. The two Governments will, upon the request of either of them, consult regarding any matter relating to the application of this Agreement or to operations or arrangements carried out pursuant to this Agreement.

2. The Government of Italy will communicate to the Government of the United States of America in a form and at intervals to be indicated by the latter after consultation with the Government of Italy:

(A) Detailed information of projects, programs and measures proposed or adopted by the Government of Italy to carry out the provisions of this Agreement and the general obligations of the Convention for European Economic Cooperation.

(B) Full statements of operations under this Agreement including a statement of the use of funds, commodities and services received thereunder, such statements to be made in each calendar quarter;

(C) Information regarding its economy and any other relevant information, necessary to supplement that obtained by the Government of the United States of America from the Organization for European Economic Cooperation which the Government of the United States of America may need to determine the nature and scope of operations under the Economic Cooperation Act of 1948, and to evaluate the effectiveness of assistance furnished or contemplated under this Agreement and generally the progress of the Joint Recovery Program.

3. The Government of Italy will assist the Government of the United States of America to obtain information relating to the materials originating in Italy referred to in Article V which is necessary to the formulation and execution of the arrangements provided for in that Article.

Article VIII. Publicity

1. The Governments of the United States of America and Italy recognize that it is in their mutual interest that full publicity be given to the objectives and progress of the joint program for European Recovery and of the actions taken in furtherance of that program. It is recognized that wide dissemination of information on the progress of the program is desirable in order to develop the sense of common effort and mutual aid which are essential to the accomplishment of the objectives of the program.

2. The Government of the United States of America will encourage the dissemination of such information and will make it available to the media of public information.

3. The Government of Italy will encourage the dissemination of such information both directly and in cooperation with the Organization for European Economic Cooperation. It will make such information available to the media of public information and take all practicable steps to ensure that appropriate facilities are provided for such dissemination. It will further provide other participating countries and the Organization for European Economic Cooperation with full information on the progress of the program for Economic Recovery.

4. The Government of Italy will make public in Italy in each calendar quarter, full statements of operations under this Agreement, including information as to the use of funds, commodities and services received.

Article IX. Missions

1. The Government of Italy agrees to receive a Special Mission for Economic Cooperation which will discharge the responsibilities of the Government of the United States of America in Italy under this Agreement.

2. The Government of Italy will, upon appropriate notification from the Ambassador of the United States of America in Italy, consider the Special Mission and its personnel, and the United States Special Representative in Europe, as part of the Embassy of the United States of America in Italy for the purpose of enjoying the privileges and immunities accorded to that Embassy and its personnel of comparable rank. The Government of Italy will further accord appropriate courtesies to the members and staff of the Joint Committee on Foreign Economic Cooperation of the Congress of the United States of America and grant them the facilities and assistance necessary to the effective performance of their responsibilities.

3. The Government of Italy, directly and through its representatives on the Organization of European Economic Cooperation will extend full cooperation to the Special Mission, to the United States Special Representative in Europe and his staff, and to the members and staff of the Joint Committee. Such cooperation shall include

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the provision of all information and facilities necessary to the observation and review of the carrying out of this Agreement, including the use of assistance furnished under it.

Article X. Settlement of Claims of Nationals

1. The Governments of the United States of America and Italy agree to submit to the decisions of the International Court of Justice any claim espoused by either Government on behalf of one of its nationals against the other Government for compensation for damage arising as a consequence of governmental measures (other than measures concerning enemy property or interests) taken after April 3, 1948, by the other Government and affecting property or interests of such national, including contracts with or concessions granted by duly authorized authorities of such other Government.

It is understood that the undertaking of the Government of the United States of America in respect of claims espoused by the Government of Italy pursuant to this Article is made under the authority of and is limited by the terms and conditions of the recognition by the United States of America of the compulsory jurisdiction of the International Court of Justice under Article 36 of the statute of the Court, as set forth in the declaration of the President of the United States of America dated August 14, 1946. The provisions of this paragraph shall be in all respects without prejudice to other rights of access, if any, of either Government to the International Court of Justice or to the espousal and presentation of claims based upon alleged violations by either Government of rights and duties arising under treaties, agreements or principles of international law.

2. The Governments of the United States of America and of Italy further agree that such claims may be referred, in lieu of the Court, to any arbitral tribunal mutually agreed upon. It is understood that the undertaking of each Government pursuant to this paragraph is subject to and limited by the terms and conditions of existing arbitration treaties, conventions or other agreements, particularly any provisions respecting the functions of the Senate of the United States of America and the Italian Parliament.

3. It is further understood that neither Government will espouse a claim pursuant to this Article until its national has exhausted the remedies available to him in the Administrative and Judicial Tribunals of the country in which the claim arose.

Article XI. Definitions

As used in the Agreement, the term "participating country" means:

(1) Any country which signed the report of the Committee of European Economic Cooperation at Paris on September 22, 1947, and territories for which it has international responsibility and to which the Economic Cooperation Agreement concluded between that country and the Government of the United States of America has been applied, and

(2) Any other country (including any of the zones of occupation of Germany, any areas under international administration or control, and the Free Territory of Trieste or either of its zones) wholly or partly in Europe, together with dependent areas under its administration; for so long as such country is a party to the Convention for European Economic Cooperation and adheres to a joint program for European recovery designed to accomplish the purpose of this Agreement.

Article XII. Entry into Force, Amendments, Duration

1. This Agreement shall become effective on this day's date. Subject to the provisions of paragraphs 2 and 3 of

this Article, it shall remain in force until June 30, 1953 and, unless at least six months before June 30, 1953, either Government shall have given notice in writing to the other of intention to terminate the Agreement on that date, it shall remain in force thereafter until the expiration of six months from the date on which such notice shall have been given.

2. If during the life of this Agreement, either Government should consider there has been a fundamental change in the basic assumption underlying this Agreement, it shall so notify the other Government in writing and the two Governments will thereupon consult with a view to agreeing upon the amendment, modification or termination of this Agreement. If, after three months from such notification the two Governments have not agreed upon the action to be taken in the circumstances, either Government may give notice in writing to the other of intention to terminate this Agreement. Then, subject to the provisions of paragraph 3 of this Article, this Agreement shall terminate either:

(a) Six months after the date of such notice of intention to terminate, or

(b) After such shorter period as may be agreed to be sufficient to ensure that the obligations of the Government of Italy are performed in respect of any assistance which may continue to be furnished by the Government of the United States of America after the date of such notice provided, however, that Article V and paragraph 3 of Article VII shall remain in effect until two years after the date of such notice of intention to terminate, but not later than June 30, 1953.

3. Subsidiary agreements and arrangements negotiated pursuant to this Agreement may remain in force beyond the date of termination of this Agreement and the period of effectiveness of such subsidiary Agreements and arrangements shall be governed by their own terms. Article IV shall remain in effect until all the sums in the currency of Italy required to be deposited in accordance with its own terms have been disposed of as provided in this Article.

4. Paragraph 2 of Article III shall remain in effect for so long as the guaranty payments referred to in that Article may be made by the Government of the United States of America.

5. The Annex to this agreement forms an integral part thereof.

6. This Agreement may be amended at any time by agreement between the two Governments.

7. This Agreement shall be registered with the Secretary General of the United Nations.

In witness whereof the respective representatives, duly authorized for the purpose, have signed the present Agreement.

DONE at Rome, in duplicate, in the English and Italian languages, both texts authentic, this 28th day of June 1948.

JAMES CLEMENT DUNN

SFORZA

ANNEX. Interpretive notes

1. It is understood that the requirements of paragraph 1 (A) of Article II, relating to the adoption of measures for the efficient use of resources, will include, with respect to commodities furnished under the Agreement, effective measures for safeguarding such commodities and for preventing their diversion to illegal or irregular markets or channels of trade.

2. It is understood that the obligations under paragraph 1 (C) of Article II to balance the budget as soon as practicable

(Continued on page 57)

**Statement by Secretary Marshall Concerning Signing
of Economic Cooperation Agreements**

[Released to the press June 28]

With the signing of the bilateral agreements between the participating countries and the United States we take one more step in the development of the program for European recovery. The prospect for success of this great project lies in the determination of the people of Europe to work together to achieve recovery. The people of the United States have demonstrated their confidence in the success of this undertaking through the action of Congress in making available for the initial period of the program the sum of five billion dollars.

This unprecedented undertaking required expression in formal agreements stating its basic objectives and establishing the relationships necessary for the orderly achievement of those objectives. The Paris convention of April 16 expresses the aims and mutual pledges of the participating countries and establishes the Organization for European Economic Co-operation as the

mechanism through which the joint program will be achieved. The bilateral agreements state the mutual aims of the participating countries and the United States and establish the relationships through which American assistance will supplement the efforts of Europe. The two agreements are closely related. The basic undertakings in the bilateral agreements are essentially the same as those which the European countries had themselves already stated, both in last summer's report and in the convention, as necessary to achieve recovery.

Important progress has been made since the historic meetings in Paris of last summer. A framework has been established for a joint recovery program based on European initiative and mutual aid; an organization is functioning and the United States has assured large-scale assistance. A continuation of the cooperation and effort of the people of the countries concerned, under these conditions, should achieve the success of the program.

**Most-Favored-Nation Treatment for Areas Under Military Occupation
With Respect to U.K., Italy, Ireland, and Greece**

*Text of Note Exchanged Between the United
States and United Kingdom*

June 26, 1948.

SIR:
I have the honor to refer to the conversations which have recently taken place between representatives of our two Governments relating to the territorial application of commercial arrangements between the United States of America and the United Kingdom and to confirm the understanding reached as a result of these conversations as follows:

1. For such time as either the Government of the United States of America or the Government of the United Kingdom of Great Britain and Northern Ireland participates in the occupation or control of any areas in western Germany or the Free Territory of Trieste, the other Government will apply to the merchandise trade of such area the

provisions of the General Agreement on Tariffs and Trade, dated October 30, 1947, as now or hereafter amended, relating to most-favored-nation treatment.

2. The undertaking in paragraph 1, above, will apply on the part of the Government of the United States of America or the Government of the United Kingdom of Great Britain and Northern Ireland to the merchandise trade of any area referred to therein only for such time and to such extent as such area accords reciprocal most-favored-nation treatment to the merchandise trade of the United States of America or the United Kingdom of Great Britain and Northern Ireland, respectively.

3. The undertakings in paragraphs 1 and 2, above, are entered into in the light of the absence at the present time of effective or significant tariff barriers to imports into the areas herein concerned. In the event that such tariff barriers are imposed, it is understood that such undertakings shall be without prejudice to the application of the principles set forth in the Havana Charter for an

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International Trade Organization relating to the reduction of tariffs on a mutually advantageous basis.

4. It is recognized that the absence of a uniform rate of exchange for the currency of the areas in western Germany referred to in paragraph 1 above may have the effect of indirectly subsidizing the exports of such areas to an extent which it would be difficult to calculate exactly. So long as such a condition exists, and if consultation with the Government of the United States of America fails to reach an agreed solution to the problem, it is understood that it would not be inconsistent with the undertaking in paragraph 1 for the Government of the United Kingdom to levy a countervailing duty on imports of such goods equivalent to the estimated amount of such subsidization, where the Government of the United Kingdom determines that the subsidization is such as to cause or threaten material injury to an established domestic industry or is such as to prevent or materially retard the establishment of a domestic industry.

5. The undertakings in this note shall remain in force until January 1, 1951, and unless at least six months before January 1, 1951, either Government shall have given notice in writing to the other of intention to terminate these undertakings on that date, they shall remain in force thereafter until the expiration of six months from the date on which such notice shall have been given.

Please accept [etc.]

In the exchange of notes between the United States and Italy variations from the U.S.-U.K. exchange of notes appear in the following paragraphs:

1. For such time as the Government of the United States of America participates in the occupation or control of any areas in western Germany, Japan or southern Korea, the Government of Italy will apply to the merchandise trade of such area the provisions relating to the most-favored-nation treatment of the merchandise trade of the United States of America set forth in the Treaty of Friendship, Commerce and Navigation, signed February 2, 1948 (and, pending the entry into force of such Treaty, in the exchange of notes on commercial policy of August 14, 1947), or for such time as the Government of the United States of America and Italy may both be contracting parties to the General Agreement on Tariffs and Trade, dated October 30, 1947, the provisions of that Agreement, as now or hereafter amended, relating to the most-favored-nation treatment of such trade. It is understood that the undertaking in this paragraph relating to the application of the most-favored-nation provisions of the Treaty of Friendship, Commerce and Navigation shall be subject to the exceptions recognized in the General

Agreement on Tariffs and Trade permitting departures from the application of most-favored-nation treatment and that the undertaking relating to the exchange of notes on commercial policy shall be subject to such exceptions and to the exceptions recognized in the Treaty of Friendship, Commerce and Navigation; provided that nothing in this sentence shall be construed to require compliance with the procedures specified in the General Agreement with regard to the application of the exceptions in the General Agreement.

2. The undertaking in point 1, above, will apply to the merchandise trade of any area referred to therein only for such time and to such extent as such area accords reciprocal most-favored-nation treatment to the merchandise trade of Italy.

4. It is recognized that the absence of a uniform rate of exchange for the currency of the areas in western Germany, Japan or southern Korea referred to in point 1 above may have the effect of indirectly subsidizing the exports of such areas to an extent which it would be difficult to calculate exactly. . . .

In the exchange of notes between the United States and Ireland variations from the U.S.-U.K. exchange of notes appear in the following paragraphs:

1. For such time as the Government of the United States of America participates in the occupation or control of any areas in western Germany, the Free Territory of Trieste, Japan or southern Korea, the Government of Ireland will extend to the merchandise trade of such area the most-favored-nation treatment for the time being accorded to the merchandise trade of the United States of America. It is understood that the undertaking in this paragraph relating to the extension of most-favored-nation treatment shall be subject to the exceptions recognized in the General Agreement on Tariffs and Trade permitting departures from the application of most-favored-nation treatment; provided that nothing in this sentence shall be construed to require compliance with the procedures specified in the General Agreement with regard to the application of such exceptions.

2. The undertaking in point 1, above, will apply to the merchandise trade of any area referred to therein only for such time and to such extent as such area accords reciprocal most-favored-nation treatment to the merchandise trade of Ireland.

4. It is recognized that the absence of a uniform rate of exchange for the currency of the areas in western Germany, Japan or southern Korea referred to in point 1 above may have the effect of indirectly subsidizing the exports of such areas to an extent which it would be difficult to calculate exactly. . . .

In the exchange of notes between the United States and Greece variations from the U.S.-U.K. exchange of notes appear in the following paragraphs:

1. For such time as the Government of the United States of America participates in the occupation or control of any areas in western Germany or the Free Territory of Trieste, Japan or southern Korea, the Government of Greece will apply to the merchandise trade of such area the provisions relating to the most-favored-nation treatment of the merchandise trade of the United States of America set forth in the Provisional Commercial Agreement, signed November 15, 1938, or for such time as the Governments of the United States of America and Greece may both be contracting parties to the General Agreement on Tariffs and Trade, dated October 30, 1947, the provisions of that Agreement, as now or hereafter amended, relating to the most-favored-nation treatment of such trade. It is understood that the undertaking

in this paragraph relating to the application of the most-favored-nation provisions of the Provisional Commercial Agreement shall be subject to the exceptions recognized in the General Agreement on Tariffs and Trade permitting departures from the application of most-favored-nation treatment; provided that nothing in this sentence shall be construed to require compliance with the procedures specified in the General Agreement with regard to the application of such exceptions.

2. The undertaking in point 1, above, will apply to the merchandise trade of any area referred to therein only for such time and to such extent as such area accords reciprocal most-favored-nation treatment to the merchandise trade of Greece.

4. It is recognized that the absence of a uniform rate of exchange for the currency of the areas in western Germany, Japan or southern Korea referred to in point 1 above may have the effect of indirectly subsidizing the exports of such areas to an extent which it would be difficult to calculate exactly. . . .

Signing of the Foreign Aid Appropriation Act

STATEMENT BY THE PRESIDENT

[Released to the press by the White House June 28]

I have signed today H.R. 6801, the Foreign Aid Appropriation Act, 1949,¹ providing funds for the first year of the European Recovery Program, for aid to Greece, Turkey, and China, for meeting our occupation responsibilities in Europe and the Far East, and for our participation in the International Children's Fund and the International Refugee Organization. The total appropriation for these purposes included in the act is \$6,030,710,228.

By far the largest item in this act is the \$4 billion appropriation for economic cooperation with Europe. I know that the American people share the deep sense of satisfaction which I feel in taking this final step to make the European Recovery Program effective. It furnishes concrete evidence and assurance to the free peoples of the world that we stand ready to work side by side with them to preserve free institutions in stability and peace.

In June of last year, the United States indicated its readiness to work with the countries of Europe in developing a program of joint action to achieve economic recovery. Representatives of 16 European countries drew up a program in response

to this suggestion and submitted it to this Government in September. After careful study, I submitted to the Congress on December 19 recommendations for legislation to make the European Recovery Program a reality. Following full consideration by the Congress, this legislation was enacted on April 3.

Then began the last step in the legislative process—the enactment of the necessary appropriations to make the law effective. Again the program was carefully scrutinized and its various elements weighed and tested. As finally enacted, this appropriation is substantially in accord with the program presented to the Congress six months ago. It represents the combined judgment and will of the Executive and the Congress. It was evolved in the spirit of cooperation and not of partisan conflict. It demonstrates the united determination of our people to make good our pledge of cooperation to those who, like ourselves, are striving to achieve enduring peace and prosperity among all nations.

¹ Public Law 793, 80th Cong., 2d sess.

THE UNITED NATIONS AND SPECIALIZED AGENCIES

The United States in the United Nations

The Veto

Consideration of proposals for mitigating abuse of the veto power in the Security Council was begun by the Interim Committee of the General Assembly on July 7. Under discussion were recommendations of a subcommittee to which was assigned preliminary work on this problem. The General Assembly last fall asked the Interim Committee to "consider the problem of voting in the Security Council" and to report its conclusions to the Secretary-General not later than July 15 for transmission to member states and to the General Assembly.

The subcommittee reviewed 96 categories of Security Council decisions. Of these it listed a first group of 36 categories as clearly procedural and hence not subject to the veto, and a second group of 21 categories as decisions which ought to be taken by an affirmative vote of any seven members of the Council, whether or not they were considered procedural.

On July 7 and 8 the Committee ratified the subcommittee's findings regarding the groups of 36 and 21 decisions, although reservations were noted by a number of members. The Representatives of France and the United Kingdom refused to endorse inclusion in the second group of the decision whether a matter is procedural. This is the type of decision which often leads to the so-called "double veto." The United Kingdom Representative, James Fawcett, doubted the wisdom of including in the second group all decisions taken under the Charter's chapter VI (peaceful settlement of disputes). United States policy on this point, as originally announced by Secretary of State Marshall in his opening address at the General Assembly last September, favors abandonment by all the permanent members of the veto power on chapter VI decisions.

There was no dissent to inclusion in the second group of Security Council decisions on admissions to U.N. membership.

No less than 24 of the 26 vetoes cast by the Soviet Union to date fall in these three fields of decisions under chapter VI, membership applications, and the "double veto".

Representatives of China, France, the United Kingdom, and the United States all took exception to a proposal of Selim Sarper of Turkey, which was later withdrawn, that the Committee should add to the second group Security Council findings under article 39 that there was a "threat to the

peace, breach of the peace, or act of aggression". Article 39 is the first article in chapter VII, which covers peace-enforcement action by the Security Council. Joseph E. Johnson of the United States argued that a decision under article 39 should be subject to the unanimity rule, because if it were to be meaningful it would have to envisage recommendations or sanctions whose effectiveness would require big-power unanimity. He recalled that at the San Francisco conference article 39 had purposely been put in chapter VII rather than in chapter VI because it was felt that a determination that a threat to peace existed could lead to the whole range of action under chapter VII. François de Rose of France said the Turkish proposal might permit sanctions to be ordered without the assent of those who would have to enforce them.

The view that the recommendations were inadequate and that only elimination of the veto power would make the United Nations a real guardian of peace was urged by José Arce of Argentina, Carlos P. Romulo of the Philippines, and Sir Carl Berendsen of New Zealand. Dr. Arce and General Romulo declared they still favored calling a general conference under article 109 to revise the Charter.

Palestine

The Security Council was called to an unscheduled meeting at a late hour on July 8 to discuss indications that full-scale warfare in Palestine was about to be resumed.

The Council's July President, Dmitri Z. Manuilsky of the Ukraine, called the emergency meeting upon receipt of a telegram from Moshe Shertok, Foreign Minister of Israel, which charged that Egyptian forces had opened an offensive in South Palestine 24 hours before the four-week truce was due to expire. As the Council met, a telegram came in from Count Bernadotte, U.N. mediator in Palestine, reporting that Israel had accepted his proposal of a 30-day truce extension but that the Arab states had rejected it. The telegram expressed the mediator's disappointment "that hostilities are to be resumed" and added that he would concentrate on obtaining "a cease-fire in Jerusalem and its ultimate demilitarization". Bernadotte said he did not yet have a text of the Arab reply and promised the Council a full report "at a very early date".

Philip C. Jessup of the United States, referring to the Shertok telegram, said that the Council clearly could not act solely on the basis of an allegation from one of the parties and must await the mediator's report on resumption of fighting.

The information at hand, Mr. Jessup said, confronted the Council with some "uncertainty and ambiguity". It could be hoped that further news would show that anticipation of a truce rupture was based on a misunderstanding or that an Arab refusal to prolong it had been reconsidered. He noted it was not clear whether the Arab Governments' reply to the proposal for a truce extension had been sent before they had received the text of the Council's resolution of July 7, which appealed to both sides to prolong the truce.

"My Government welcomes the fact that the Government of Israel has accepted the proposals of the mediator", Mr. Jessup said. "It is very hard to believe that the Arab States, members of the United Nations, have actually rejected any prolongation of the truce and that they would contemplate actually resorting to war in violation of the Charter". If this were the case, the Council would have no choice, Mr. Jessup said, but to turn to chapter VII of the Charter (action with respect to threats to the peace, breaches of the peace, and acts of aggression). He recalled that the resolution of May 29 bound the Council to consider chapter VII action if the truce were repudiated or violated.

"There can be no question, in my opinion," Mr. Jessup declared, "that in a situation in which one of the contesting parties has clearly indicated its willingness to prolong the truce the other party could allege that a resort to force was an act based upon a necessity of self-defense".

Mr. Jessup pointed out that no case had hitherto required the full application of chapter VII (which authorizes diplomatic, economic, and military sanctions), "but it must be recognized that chapter VII is as much a part of the Charter as any other chapter." The U.S. Government, he said, "will be prepared to carry out its obligations as a member of the Security Council and of the United Nations."

A proposal by the United States for a finding under article 39 would parallel one made in the Council by Ambassador Warren R. Austin on May 17. It obtained only five votes, two short of the required seven.

Indonesia

The Security Council decided on July 6 to ask its Good Offices Committee in Indonesia for a full report on restrictions applied to trade with the Indonesian Republic. The action followed a complaint by the Indonesian Republic Representative, Lambertus Palar, that "the Dutch are trying to strangle the Republic."

The Good Offices Committee reported on June 21¹ that, although the truce agreement signed aboard the U.S.S. *Renville* on January 17, 1948, stipulated that normal trade channels, both domestic and foreign, were to be reopened, no significant

increase in trade in and out of Republican territory had occurred and there were severe shortages of vital commodities.

Nine members of the Council voted for a Chinese proposal to ask the Committee for full information. The U.S.S.R. and the Ukraine abstained because they thought the language of the request too mild.

Children's Fund

The Program Committee of the International Children's Emergency Fund met in Paris on July 3 to review its program in the 12 European countries and China where the Fund is now operating and to consider extending its aid to the U.S., U.K., and French zones in Germany, as well as to countries in the Far East other than China. The Program Committee, on which the United States is represented at this session by Louis K. Hyde, began a field trip to Poland, Czechoslovakia, and Italy on July 8 to inspect ICEF operations in these countries. Established by a General Assembly resolution of December 11, 1946, the Fund today is providing supplementary food for more than 4,000,000 children in European countries and China.

Labor Conference

The International Labor Organization began its Thirty-first Conference in San Francisco on June 17, with 51 of the ILO's 59 member countries represented at the Conference. David A. Morse, recently elected Director General of the organization, heads the U.S. Delegation. Among the more important decisions made by the Conference are preliminary approval of the principle of equal pay for equal work, agreement to consider establishment of regulations for labor clauses in public contracts at next year's conference, and extension of an invitation to General MacArthur, Supreme Commander for the Allied Powers in Japan, to send an observer delegation. Awaiting Conference adoption is a proposed convention on freedom of association by which both workers and employers will have the right to join workers' or employers' organizations of their own choosing. The Conference is expected to end on July 10.

Telecommunication Pact

President Truman has signed the international telecommunication convention with its final protocol, and the Radio Regulations annexed thereto, which were recommended for ratification by the U.S. Senate on June 2. The convention includes reorganization of the International Telecommunication Union to strengthen its relationship with the United Nations. The convention and regulations go into effect on January 1, 1949, with regard to countries and territories which have ratified or adhered to the convention by that date.

¹ U.N. doc. S/848, June 21, 1948.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

U.S. DELEGATIONS TO INTERNATIONAL CONFERENCES

Theatre Institute

[Released to the press June 29]

The Department of State announced on June 29 the composition of the United States Observer Delegation to the First Congress of the International Theatre Institute being held at Praha from June 28 to July 3, 1948. Warren Caro, executive secretary of the Theatre Guild, New York, is serving as chairman of the Observer Delegation and Miss Rosamond Gilder, secretary, American National Theatre and Academy, New York, as adviser.

The meeting is being held under the sponsorship of the United Nations Educational, Scientific and Cultural Organization (UNESCO) with the co-operation of the Government of Czechoslovakia. The purpose of the Congress is to create an International Theatre Institute to provide for the establishment of international theatre centers in the member states of UNESCO.

A proposal for the creation of an International Theatre Institute was approved by the First Session of the General Conference of UNESCO at Paris in 1946. A meeting of experts was held at Paris in July 1947, at which a charter for the Institute was drafted. The Second Session of the General Conference of UNESCO, held in Mexico City in November 1947, authorized the convening of an international conference to establish the International Theatre Institute.

The provisional agenda for the meeting includes: (1) adoption of a final draft charter for the Institute; (2) the election of an Executive Committee which will be responsible for making recommendations concerning the site of the permanent headquarters of the Institute, the site of the Second Congress, and the appointment of the Secretary General and staff; (3) the organization and operation of a playscript-exchange service; (4) the development of an operational scheme for services to performing companies abroad; and (5) the development of the structure and nature of information services.

UNESCO

[Released to the press June 28]

The Department of State announced on June 28 the list of advisers to the United States Delegation to the Third Session of the General Con-

ference of the United Nations Educational, Scientific and Cultural Organization (UNESCO), which is scheduled to be held at Beirut, Lebanon, October 18 to November 10, 1948, as follows:

Special Adviser to the United States Delegation and Member of the Executive Board of UNESCO

George D. Stoddard, President, University of Illinois, Urbana, Ill.

Advisers

Ben M. Cherrington, Social Science Foundation, Denver, Colo.

Kermit Eby, Director of Education and Research, Congress of Industrial Organizations

E. Pendleton Herring, President-elect, Social Science Research Council

Richard P. McKeon, Professor of Philosophy, University of Chicago

Kendric Marshall, United States Office of Education

Stephen B. L. Penrose, President-designate of Beirut University

Louise Wright, Director, Chicago Council on Foreign Relations

Charles M. Hulten, Deputy Assistant Secretary for Administration, Department of State

Walter M. Kotschnig, Chief, Division of International Organization Affairs, Office of United Nations Affairs, Department of State

Kenneth Holland, Counselor on UNESCO Affairs, American Embassy, Paris

James S. Moose, Jr., Foreign Service Inspector

Samuel de Palma, Division of International Organization Affairs, Department of State

Esther C. Brunauer, Assistant Director, UNESCO Relations Staff, Department of State

Special Assistant to the Chairman

Saxton Bradford, Deputy Director, UNESCO Relations Staff, Department of State

Executive Secretary

Henry J. Sabatini, Division of International Conferences, Department of State

Technical Secretary

Herbert J. Abraham, UNESCO Relations Staff, Department of State

On June 24, 1948, the President approved the designation of the following in the capacity named:

Representatives of the United States to the Third Session of the General Conference of UNESCO

George V. Allen, of North Carolina

Milton S. Eisenhower, of Kansas

Luther H. Evans, of Texas

Waldo G. Leland, of Massachusetts

Mrs. Anne O'Hare McCormick, of New York

**U.S.-CANADA INTERNATIONAL JOINT
COMMISSION DISCUSSES KOOTENAY
RIVER FLOODS**

[Released to the press June 29]

At the request of Governor C. A. Robins of Idaho, members of the International Joint Commission, United States and Canada, will meet at Bonners Ferry, Idaho, on July 27, 1948, to confer with officers and persons affected by the recent serious floods of the Kootenay River, which have caused serious damage in both Canada and the United States.

The Commission has pending before it a reference from the Governments of the United States and Canada requiring a study and recommendations with respect to the entire Columbia River Basin, which includes the Kootenay River. As rivers in the States of Washington, Oregon, Montana, and Wyoming are involved in this project in addition to rivers in the State of Idaho, the Governors of all five States have been invited to participate, either personally or by representatives, in the meeting. Officials of the Canadian Government and of the Province of British Columbia, as well as other interested Canadians, have also been invited to be present and present their views.

The International Columbia River Engineering Board has been conducting studies in Canada and the United States for the past four years, and the results of their work up to the present time will be available for consideration. The chairman of the Canadian group of engineers is Victor Meek, controller, Dominion Water and Power Bureau, and Major General R. C. Crawford, deputy chief of engineers, Corps of Engineers, United States Army, is chairman of the group of engineers that has conducted investigations in the United States. It is hoped that an important program for development of water storage and hydroelectric development may be planned to prevent the destruction and great loss of property that has occurred as a result of devastating floods in this area this spring.

Alternate Representatives

Frank Capra, of California
William H. Hastie, of the District of Columbia
Mrs. Kathleen N. Lardie, of Michigan
W. Albert Noyes, Jr., of New York
George F. Zook, of Virginia

Congressional Adviser

J. William Fulbright, of Arkansas

In accordance with the UNESCO constitution, the Executive Board of UNESCO, at its meeting at Paris in February 1948, prepared the draft agenda for the Third Session of the General Conference. Among the items on this provisional agenda are: (1) report of the Director General on the activities of the Organization in 1948; (2) consideration of reports submitted by member states in 1948; (3) discussion of certain items in the program for 1948 and of new activities proposed for 1949; (4) the Organization's budget; (5) matters which have been raised by member states, the United Nations, or other specialized agencies; (6) organizational questions, including the National Commissions of UNESCO; (7) election of seven members to the Executive Board; (8) appointment of the Director General; (9) consideration of recommendations of the Executive Board concerning the admission of new members to the Organization; and (10) consideration of recommendations of the Executive Board concerning the admission of observers of international nongovernmental organizations to the Third Session of the General Conference.

UNESCO, a specialized agency of the United Nations, designed to foster international understanding through educational, scientific, and cultural activities, was launched at a meeting of 41 members of the United Nations at London in November 1945. The main objective of the organization is to contribute to peace and security by promoting collaboration among nations in every field of knowledge. The First Session of the General Conference of UNESCO was held at Paris in November and December 1946. The Second Session was held at Mexico City in November and December 1947.

It is expected that representatives of the 39 governments which have adhered to the UNESCO constitution will attend the forthcoming meeting.

THE RECORD OF THE WEEK

U.S. Urges Soviet Command To Resume Electric Power to South Korea

U.S. NOTE TO THE SOVIET MINISTRY FOR FOREIGN AFFAIRS

[Released to the press June 29]
Delivered June 26, 1948.

I have the honor to bring to the attention of your Excellency the matter of the distribution of electric power in Korea.

As you are doubtless aware, the principal electric power production facilities for the whole of that country are located in the area north of the 38° parallel presently occupied by Soviet forces. As you are probably also aware, those facilities were designed to meet a substantial proportion of the electric power requirements of that part of the country lying south of the 38° parallel and presently occupied by U.S. forces.

With a view to ensuring that the people of south Korea would not be deprived of the continued normal flow of electric power from such north Korean sources, the U.S. Command entered on June 17, 1947 into an agreement with the Soviet Command designed to effect a settlement for power already supplied and to provide the basis for a subsequent settlement for power to be furnished in the future. The provisions of that agreement were substantially as follows:

(a) the cost of power delivered for the period August 16, 1945, through May 31, 1947, was fixed at 16,334,735 yen, based upon 1941 prices at 0.0195 yen per K.W.H.;

(b) payment should be in equipment and specified materials to be delivered by the U.S. Command within six months from the date of delivery of final revised specifications;

(c) the cost of the equipment and materials would be determined on the basis of 1941 Japanese price lists, or when unavailable or lacking the necessary data, corresponding U.S. price lists would be used. The rate of exchange for this purpose was fixed at 100 yen equalling \$23.44;

(d) should the delivery of particular materials be impossible at a specified time, new terms of delivery or the substitution of other materials would be determined by mutual agreement;

(e) electric power supplied after June 1, 1947, would be the subject of a separate agreement, to be signed within one month.

When it became apparent, as early as December 1947, that delays in the delivery of the specified materials would be unavoidable because of their

extreme shortage in the world markets, the Commanding General of the U.S. Army Forces in Korea, in accordance with stipulation (d) of the agreement as outlined above, initiated a series of efforts to open discussions with the Soviet Command regarding the substitution of other materials, or to settle the account in American dollars. By his letter of May 8, 1948, General Hodge notified General Korotkov that the 8th shipment of materials, in partial payment of electric power received prior to June 1, 1947, would be ready for inspection and delivery on May 25, 1948. The estimated value of this delivery was given as 40% of the total debt, and it was pointed out that this amount, in addition to the 35% already delivered, left an unpaid balance of 25% which General Hodge suggested should be negotiated, under the terms of the Agreement, at a conference between the two commands. On May 14, 1948, six days after the delivery of this letter, the electric power supply to south Korea was cut off, and has never been resumed. On May 17, 1948, in a letter to General Korotkov, General Hodge protested this unwarranted action.

On June 12, 1948, General Hodge referring to his letter of May 8, 1948, notified the Soviet Command in north Korea that materials in payment of the outstanding obligations were either in Seoul awaiting delivery to north Korea, or en route to Seoul. The alternative of settling the account in United States dollars was also reiterated. In this letter, General Hodge again proposed that upon the resumption of the flow of electric power to south Korea and the transfer of the materials now awaiting delivery to north Korea, a conference of accredited representatives of the two Commands, including representative Koreans from both north and south Korea, be convened in either Seoul or Pyongyang. General Hodge expressed the hope that through such a conference a definitive settlement of outstanding accounts, which would include payments for power delivered after June 1, 1947, could be made.

In reply to his letter of May 17, 1948, General Hodge has received a letter from General Merkulov dated June 15, 1948, which reiterated previous communications from the Soviet Command in north Korea to the effect that "the Soviet Command cannot fulfill the functions as an intermediary between the American Command and the

Peoples Committee of north Korea in the case of delivery of electric energy to south Korea." Acknowledgment has not been made of General Hodge's letter of June 12, 1948.

It is the view of this Government that so long as Soviet forces remain in occupation of north Korea, the Soviet Command cannot divest itself unilaterally of its responsibilities, including the responsibility incurred under the agreement of June 17, 1947. Should the Soviet Command per-

sist in refusing to maintain an adequate flow of electric power to south Korea, the people of that area will thereby be subjected to unwarranted hardships.

It is urged, therefore, that instructions be transmitted to the Soviet Command in Korea to resume deliveries of electric power to south Korea immediately, and to participate with representatives of the United States Command in the negotiations proposed by General Hodge.

Consideration of Soviet Reply to American Lend-Lease Settlement Proposals

STATEMENT BY SECRETARY MARSHALL

[Released to the press July 2]

After receiving a communication from the Department of State on the subject of a lend-lease settlement, the Soviet Ambassador called in late May and stated his intention to return to Moscow to obtain new instructions. Since his return to the United States the Ambassador has submitted a reply which is now being studied.

After many delays the negotiations began on April 30, 1947, since which time they have continued sporadically. The United States has made proposals as to the main points of settlement which follow the basic principles of settlements already concluded with other major lend-lease recipients. Our proposals are in accord with the provisions of the Soviet master lend-lease agreement of June 1, 1942.

In general the United States asks no payment or any lend-lease aid represented by articles or services expended in the common war effort prior to V-J Day, September 2, 1945. The Soviet Government is being asked to pay the reasonable value

as of V-J Day of civilian-type lend-lease articles which remained in existence on that day, such articles being of a kind which would have a peacetime utility to the Soviet economy. Eight lend-lease merchant vessels have been returned by the Soviet Government under the provisions of article V of the master agreement. Settlement for the 87 merchant vessels remaining in Soviet possession is one of the subjects under discussion in the negotiations, and their ultimate disposition depends upon the outcome of these negotiations. In addition to the 8 merchant vessels already returned, this Government has requested the immediate return of 3 icebreakers and 28 frigates of the United States Navy. The disposition of certain other small naval craft still in Soviet possession is also a subject under discussion in the negotiations. The United States asks the Soviet Government to provide compensation to United States firms for the use of their patented processes supplied to the Soviet Government under lend-lease during the war.

Reply to Soviet Protest of Newsweek Article

[Released to the press June 29]

Text of note from the Secretary of State to the Soviet Ambassador, dated June 28, 1948

The Secretary of State presents his compliments to His Excellency the Ambassador of the Union of Soviet Socialist Republics and has the honor to acknowledge the receipt of the Embassy's note No. 107 of June 9, 1948, bringing to the attention of this Government an article which appeared in the May 17, 1948, issue of *Newsweek* magazine, which the Embassy's note characterizes as a violation of the Resolution on Measures to be taken against Propaganda and the Inciters of a New War adopted at the Second Session of the General Assembly of the United Nations. The article discusses an alleged plan of defense by American air forces in the event of an attack upon the United States.

The American attitude concerning the function of the press has been made clear to the Soviet Government at numerous meetings of various agencies of the United Nations at which the question of the freedom of the press has been discussed. It is a tradition in this country that the public press shall serve as a forum for the discussion of all questions of public concern.

The Government of the United States agrees that this Government, whose representatives approved the General Assembly Resolution, should "promote, by all means of publicity and propaganda available to them, friendly relations among nations based on the Purposes and Principles of the Charter". The Government of the United States is actively pursuing this policy. This Government, however, cannot accept the view expressed in the Embassy's note to the effect that governments which accepted the resolution should

bear responsibility for acts committed on their territories which by their nature violate the resolution. The position of the United States Government on this point was made clear in the debate on the resolution at the General Assembly last year in the following statement by Mr. Austin:

"The United States Delegation opposes any attempts, direct or indirect, to limit freedom of expression. We are against even setting foot upon the path leading to suppression and tyranny."

Any attempt on the part of the Government of the United States to control or suppress articles of this type appearing in the public press would be a violation of the right of freedom of the press which is guaranteed by the Constitution of the United States.

An examination of the *Newsweek* article will reveal that its whole tenor was postulated on an assumed act of aggression against the United States. The greater part of the article was devoted to speculation concerning measures to which the United States might resort for its national defense if confronted with such an attack. There is no suggestion that the United States should take the initiative in attacking the Soviet Union or any other country.

It is a cause for surprise to this Government that the Soviet Government should feel called upon to protest against articles appearing in the United States where the press and other organs of information are free of governmental control in accordance with the principles of freedom of information, when in the Soviet Union where, as Premier Stalin made clear in his interview with Mr. Stassen on April 9, 1947, the government in fact controls and censors the press and other organs of information and thereby makes itself responsible for the material they publish, articles are constantly appearing which in the opinion of this Government can scarcely be construed as promoting friendly relations among nations, based on the purposes and principles of the Charter.

The Government of the United States is happy to observe the statement in the Embassy's note characterizing the charge that the Soviet Union is preparing an attack upon the United States as a libelous invention.

Surplus-Property Payments From France, Netherlands, and Brazil

[Released to the press July 2]

The Department of State announced on July 2 that the Government of the United States has received the following payments:

A sum in francs equivalent to 13 million dollars from the Government of France for interest due on July 1, 1948, under a credit extended to France

for settlement of its U.S. lend-lease account and the purchase of U.S. surplus property. No payments of principal are due until 1951.

The sum of 960 thousand dollars from the Netherlands Government for interest due on July 1, 1948, on the Netherlands lend-lease account. No payments of principal are due until 1951.

The sum of 5 million dollars from the Government of Brazil as the July 1, 1948, installment on its remaining lend-lease obligations to the United States.

The francs making the second installment paid by France to the United States will be used for educational purposes under the Fulbright Act if an agreement, now under negotiation between France and the United States, is concluded prior to August 15, 1948. If such an agreement is not concluded by that time, the disposition of the francs will be subject to further negotiation, or the francs will be returned and the obligation of the French to pay the interest in dollars will be reinstated.

The lend-lease and surplus-property agreement with France was signed on May 28, 1946. France agreed to pay the United States 720 million dollars on deferred payment, for which it received approximately 1,398 million dollars at procurement cost in United States war surplus located in France and also settled its lend-lease account of 3,233 million dollars for France and its possessions. This settlement also took into account the 760 million dollars in reverse lend-lease furnished by France to the United States during the war.

The Netherlands payment was the first interest installment on the 67,500 thousand dollars due the United States under its lend-lease settlement agreement signed on May 28, 1947. Under lend-lease the Netherlands received 249 million dollars in lend-lease materials and furnished the United States 2,400 thousand dollars in reverse lend-lease.

Brazil's 5-million-dollar installment leaves approximately 30 million dollars due to the United States under its lend-lease settlement agreement signed on April 15, 1948.

Bolivian Proposal on Defaulted Bonds

Statement by Secretary Marshall

[Released to the press July 1]

The Bolivian Government has made a public announcement of a proposed plan for the resumption on an adjusted basis, of its dollar bonds which have been in default for many years. The announcement describes an offer which will be made to the bondholders when it has been approved by the Bolivian Congress.

The decision of the Bolivian Government to resume service on its external obligations is a constructive action which is most gratifying.

Discussions With Sweden on Loss of Gold and Foreign-Exchange Holdings

SUMMARY OF NEGOTIATIONS

[Released to the press June 28]

The Department of State announced on June 28 that discussions have recently been held between representatives of the United States and Swedish Governments regarding Sweden's need to prevent further serious losses of gold and foreign-exchange holdings caused by the substantial deficit in Sweden's trade with the hard-currency areas of the world.

The drastic reduction of Sweden's holdings of hard currencies since the close of the war necessitated temporary modifications of the quantitative and nondiscriminatory commitments of the trade agreement of 1935 between the two countries.

Understandings regarding such modifications for the period ending June 30, 1948, were reached on June 24, 1947, and February 11, 1948.¹

Due to Sweden's continued shortage of hard currency it was agreed on June 12 to extend the arrangements embodied in the aforementioned understandings until June 30, 1949, or until Sweden becomes a contracting party to the General Agreement on Tariffs and Trade, whichever is the earlier date. The understanding of June 12 may be terminated by either Government on 60 days' written notice, after consultation as to the justification for its continuance.

EXCHANGE OF MEMORANDA BETWEEN THE U.S. AND SWEDEN

[Released to the press June 28]

The Government of Sweden wishes to refer to discussions which have recently been held between its Embassy in Washington and representatives of the Government of the United States of America concerning the problems faced by the Government of Sweden as the result of the serious loss of its gold and dollar exchange. These discussions have resulted in a mutual understanding between the two Governments as follows:

1. Because of the large deficit in the Swedish balance of payments with the hard-currency areas of the world it is recognized that the Government of Sweden continues to be faced with the necessity of taking measures to correct its present imbalance of trade and to conserve its foreign exchange. The import restrictions imposed by the Government of Sweden on March 15, 1947, as presently applied are understood to serve these purposes.

2. It is therefore agreed that the provisions contained in the exchange of aide-mémoire between the two Governments dated June 24, 1947, as modified by the exchange of memoranda dated February 11, 1948 shall continue to be applied after June 30, 1948, until the Government of Sweden becomes a contracting party to the General Agreement on Tariffs and Trade concluded at Geneva Switzerland on October 30, 1947, or until June 30, 1949, whichever is the earlier. If by May 1, 1949,

Sweden has not adhered to the General Agreement on Tariffs and Trade, the two Governments agree to review the situation for the purpose of considering such actions as the circumstances may demand.

It is further agreed that either Government after consultation as to the continued justification for this understanding may terminate it on sixty days written notice.

WASHINGTON, D. C., *June 12, 1948.*

The Government of the United States of America wishes to refer to discussions which have recently been held between its representatives and representatives of the Embassy of Sweden concerning the problems faced by the Government of Sweden as the result of its serious loss of gold and dollar exchange, and to the memorandum of today's date from the Embassy of Sweden setting forth the understanding reached in these discussions. The Government of the United States of America confirms the understanding reached in these discussions as set forth in the memorandum from the Embassy of Sweden.

WASHINGTON, *June 12, 1948.*

¹ See BULLETIN of Feb. 22, 1948, p. 251.

Air Transport To Supply Civilian Needs in Berlin

Statement by Secretary Marshall

[Released to the press June 30]

We are in Berlin as a result of agreements between the Governments on the areas of occupation in Germany, and we intend to stay. The Soviet attempt to blockade the German civilian population of Berlin raises basic questions of serious import with which we expect to deal promptly.

Meanwhile, maximum use of air transport will be made to supply the civilian population. It has been found, after study, that the tonnage of food-stuffs and supplies which can be lifted by air is greater than had at first been assumed.

Hungary Requires Presentation of Foreign-Owned Shares of Hungarian Banks

[Released to the press June 29]

The Department of State announced on June 29 the receipt of information that a decree of the Hungarian Government, published on May 6, 1948, requires that shares of the National Bank of Hungary and of banks in the first category of the Central Corporation of Banking Companies (the banks nationalized on December 4, 1947) which are owned by foreign nationals and corporations registered abroad must be presented by the owners or custodians, for the purpose of listing, before July 30, 1948. For individuals residing abroad and corporations domiciled abroad the time limit

is 45 days after the pertinent Hungarian diplomatic mission makes an announcement on the matter through the newspapers. (The Hungarian Legation at Washington has informed the Department that no announcement has yet been made in the United States.) If the shares involved were annulled by Hungarian courts or are in process of nullification, a copy of the nullification decree or information concerning the nullification procedure must be presented. The presentation must be made whether or not the shares have been declared pursuant to previous legislation.¹

Shares held in Hungary must be presented at the Central Corporation of Banking Companies, while those held abroad must be presented at a Hungarian diplomatic mission.

The owner or custodian of the shares must declare at the time of presentation the date and manner of acquisition of the shares, and if the owner is an individual there must be stated also the date of his acquisition of foreign citizenship and, if he previously lived in Hungary, the date of his departure from that country. The Central Corporation of Banking Companies may require proof of the date submitted.

Shares not presented within the time limit will be declared null and void and will be replaced by new shares which will be delivered to the Hungarian Treasury without compensation. This will also be done in the case of shares of which the foreign ownership is not proved prior to a date to be fixed by the Hungarian Government.

The decree became effective on the date of publication.

Signing of the Trade Agreements Extension Act of 1948

STATEMENT BY THE PRESIDENT

[Released to the press by the White House June 26]

I have today signed H.R. 6556, the Trade Agreements Extension Act of 1948. Unfortunately, this act extends for only one year the authority to enter into reciprocal trade agreements. It also makes unwise changes in the procedure for negotiating such agreements.

I regret very much that the Congress has not seen fit to renew this authority for the customary three-year period. There is no valid reason for a one-year limitation, which appears to cast some doubt upon our intentions for the future.

Moreover, the act prescribes a new, complicated, time-consuming and unnecessary procedure for the negotiation of reciprocal trade agreements. This change in procedure will necessarily hamper and obstruct the negotiation of new agreements,

a defect which is particularly undesirable in view of the act's limitation to a single year.

The reciprocal trade-agreements program has long occupied a key position in our foreign policy and in our endeavors to assist world recovery. As I pointed out in a special message to the Congress last March, the program is a tested and practical means for achieving the benefits of expanding world commerce for the United States and other countries and a continuing evidence of the determination of the United States to contribute its full share to the reconstruction of a sound and growing world economy as a basis for enduring world peace.

As part of the European Recovery Program, the participating countries have agreed to work together to lower barriers to trade. The United States can surely do no less than show its determination to support the same principle, which is

¹ BULLETIN of July 13, 1947, p. 960.

o important to an expansion of world markets and world trade.

It is so essential that the reciprocal trade-agreements program should not lapse, that I have signed his act in spite of its serious defects.

I will do my best to make the new procedures work. As a first step, I intend to proceed in the near future with plans for bringing other countries into the General Agreement on Tariffs and

Trade signed with 22 countries at Geneva in October 1947.

The reciprocal trade-agreements program is one of high national policy. When the act is again extended next year, I trust that the defects contained in this year's extension will be corrected, in order that the act will be restored as a fully effective instrument of permanent United States policy.

Geneva Trade Protocol Signed by Twenty-two Countries

[Released to the press July 11]

Twenty-two of the twenty-three countries signing the General Agreement on Tariffs and Trade at Geneva on October 30, 1947, have signed the protocol of provisional application, meeting the June 30 date for such signature as provided in the protocol. Burma, Ceylon, and Lebanon signed on June 29, Brazil, New Zealand, Pakistan, and Syria on June 30. Pursuant to the provisions of the protocol, the seven countries will become contracting parties to the agreement on the expiration of 30 days from date of signature. A presidential proclamation will be necessary to give effect to the tariff concessions which were granted by the United States in schedule XX of the general agreement and are of primary interest to these countries.

Chile, which participated in the Geneva negotiations, has requested from the contracting parties the general agreement an extension for six months beyond June 30, 1948, of the period during which it might sign the protocol of provisional application. This request is under consideration by the contracting parties.

Proclamation on General Agreement on Tariffs and Trade With India, Norway, and Southern Rhodesia

The President, on June 25, 1948, issued a proclamation putting into effect as of July 9 and 11 the tariff concessions in schedule XX of the General Agreement on Tariffs and Trade of primary interest to India and Norway, respectively. The proclamation also states that Southern Rhodesia will be a contracting party to the general agreement on July 12, 1948. The general agreement was entered into by the United States last October 30 at Geneva with 22 other countries.

The proclamation also announces that the amendments to article XXIV of the general agreement, contained in a protocol concluded at the first session of the contracting parties to the Geneva agreement at Habana last March, entered into force on June 7.¹

The President's action followed receipt of information that India signed the protocol of provisional application of the general agreement on

The 15 countries which had previously signed the protocol are the United Kingdom, France, Belgium, the Netherlands, Luxembourg, Canada, Australia, Cuba, Czechoslovakia, China, the Union of South Africa, India, Norway, Southern Rhodesia, and the United States.

The signature of the protocol by 22 of the 23 countries marks an important milestone in the program for the relaxation of tariffs and other barriers to international trade initiated by the United States in 1934 and carried forward in the multilateral negotiations concluded at Geneva last October. As stated by the President in connection with his signature on June 26 of the Trade Agreements Extension Act of 1948, plans are now being laid to bring other countries into the General Agreement on Tariffs and Trade. The scheduling of future tariff negotiations is on the agenda for the second session of the contracting parties to the general agreement to be convened at Geneva on August 15. In accordance with the usual practice, participation by the United States in any negotiations which may be scheduled at Geneva will be preceded by public notice and hearings.

June 8, 1948; Norway on June 10; and Southern Rhodesia on June 11. Pursuant to the provisions of the protocol, these countries will become contracting parties to the agreement on the expiration of 30 days from date of signature.

Adherence to the general agreement by these three countries is particularly significant, since it is the first trade agreement to be in force between the United States and each of them.

India, Norway, and Southern Rhodesia are, respectively, the thirteenth, fourteenth, and fifteenth of the Geneva countries to give effect to this agreement. The other countries which have done so, in addition to the United States, are the United Kingdom, France, Belgium, the Netherlands, Luxembourg, Canada, Australia, Cuba, Czechoslovakia, China, and the Union of South Africa.

¹ For text of protocol, see Department of State press release 261 of Mar. 31, 1948.

Under the general agreement India, Norway, and Southern Rhodesia grant a wide range of tariff concessions benefiting the trade of the United States. Moreover they and the other contracting parties to the agreement are committed to certain limitations with respect to the application of quotas, import restrictions, exchange control, valuation for customs purposes, and the conduct of state trading. These provisions are important since they commit these countries as well as the other contracting parties giving effect to the agreement under the protocol of provisional application to accord fair treatment to the trade of the United States. Under the agreement the United States on its part has made tariff concessions on products of primary interest to Norway and India and of secondary interest to Southern Rhodesia. The reciprocal tariff concessions in the case of each of these countries are summarized hereafter:

India

In schedule XII of the general agreement, India has granted concessions on products of primary interest to the United States representing about \$9,552,000 in terms of 1938-39 Indian imports from the United States. The United States will also benefit from additional Indian concessions negotiated with other countries at Geneva on products the imports of which into India from the United States amounted to \$487,000 in 1938-39. These concessions were given in the form of reductions in rates of duty, bindings against increase of existing duties, bindings of the duty-free status, and reductions in the margins of preference. Imports in 1938-39 from the United States which will be subject to these four types of concessions were valued at \$2,349,000, \$1,931,000, \$599,000, and \$5,160,000, respectively. Among the principal Indian concessions of interest to the United States are those on dried and condensed milk, canned fish and meat, unmanufactured tobacco, certain canned fruits, certain chemicals and drugs, unwrought copper, rosin, mineral grease, coal-tar dyes, certain machine items, office machines, radios, tubes, tractors, and automobiles.

India will give effect to the items appearing in schedule XII, with certain exceptions, on the expiration of 30 days from the date of signature. It will be necessary for India to withhold temporarily certain concessions on tariffs which are levied for revenue purposes, until legislative action may be taken on them in September.

United States concessions in the general agreement on products of interest to India apply to imports from India which represented approximately \$55,145,000 in terms of 1939 trade. The most important of these products are not produced in the United States; e.g., jute and jute products, dutiable and free imports of which amounted to roughly \$25,608,000 and \$3,600,000, respectively, in 1939. In terms of 1939 trade, United States tariff reduc-

tions apply to a total of \$33,627,000; bindings against increase of certain duties, to \$978,000; and bindings on the free list, to \$20,540,000. Among these products of principal interest to India on which the United States has granted duty reductions are mica, cashew nuts, burlap and bags, cocoa-fiber mats, wool rugs, badminton rackets and nets, and tennis rackets. Continued duty-free entry is assured on such products as carpet wools, raw jute, and shellac. The present duty on bagging is bound against increase.

Norway

Under the general agreement Norway granted tariff concessions on products of interest to the United States representing more than \$15,300,000 in terms of 1939 trade. Of this total, \$6,500,000 represents duty reductions, \$3,800,000 duty bindings, and \$5,000,000 bindings on the free list. Existing Norwegian import duties were reduced on such products as automobiles, trucks, office machines, refrigerators, a variety of fruits and fruit juices, and of vegetables and vegetable juices. Moderate existing duties were bound on rubber tires and tubes, machine and transmission belting, certain varnishes and polishes, cosmetics and dentifrices, and unexposed photographic and motion-picture film. The duty-free status was bound for such items as cotton, wheat flour, tractors, sulphur and other chemicals, rubber and certain rubber semi-manufactures, tin plate, and certain types of lumber.

The concessions on products of interest to Norway, made by the United States in the general agreement, apply to commodities which represented approximately \$21,000,000 in terms of 1939 trade. On products accounting for approximately \$11,000,000 of this total the United States concessions consist of bindings on the United States free list. Among the items of principal interest to Norway on which United States tariff reductions are granted are: whale oil, sardines packed in oil, certain other fish and fish products, fish hooks, certain types of pig iron and ferromanganese. The existing duties on sardines and certain other types of fish not packed in oil, and that on artificial abrasives, were bound. Continued duty-free entry is assured for such commodities as cod-liver oil, cod oil, fox furs (other than silver, black, or platinum), and nitrogenous fertilizer materials.

Southern Rhodesia

In schedule XVI of the agreement Southern Rhodesia bound the existing low rates of duty on 12 items, among which are certain types of agricultural machinery and implements, mining machinery, pumps and accessories, tractors and parts, machine tools and lubricating oils; reduced its duties on motorcycles and motorcycle parts; and bound the duty-free status on radios. In terms of 1939 trade, Rhodesian imports from the United

states of these items on which concessions were given amounted to approximately \$1,220,000. Southern Rhodesia is an important source for United States imports of mica, chromium and its alloys, asbestos, chrome ore, and tanning extracts; consequently, it will benefit from the tariff concessions granted by the United States on these products in schedule XX of the agreement.

Voice of America Program Contracts Signed With Networks

[Released to the press July 11]

The signature of interim agreements with the National Broadcasting Company and the Columbia Broadcasting System covering the broadcasts to be performed by those companies for the Voice of America during the period of July 1 to September 30 was announced on July 1 by George V. Allen, Assistant Secretary for public affairs.

The National Broadcasting Company and the Columbia Broadcasting System have decided to withdraw from programing activities in the field of international broadcasting previously performed for the Voice of America under contract, and the three months' interim contracts cover the period during which the State Department's International Broadcasting Division will prepare to take over the Voice of America broadcasting now done by the National Broadcasting Company and the Columbia Broadcasting System.

The interim agreements, effective July 1, provide for maintenance by the State Department of full and complete review, prior to broadcast, of all material prepared under contract by the private agencies.

The International Broadcasting Division of the State Department broadcasts Voice of America programs in the following languages: Bulgarian, Chinese, Czechoslovak, German, Greek, Hungarian, Korean, Polish, Rumanian, Russian, and Yugoslav.

The National Broadcasting Company and the Columbia Broadcasting System have broadcast for the State Department in the following languages: Annamese, English, French, German, Indonesian, Italian, Portuguese, Siamese, and Spanish.

During the next three months the International Broadcasting Division of the State Department will organize its staff to handle that portion of its broadcasts which was programed by the two companies during the past year.

After October 1, the International Broadcasting Division will program and broadcast all news and commentaries but will continue to contract with private radio and recording companies for recording of feature programs for overseas broadcasts and will continue to lease, under contract, the shortwave transmitting facilities of private companies.

Italian Agreement—Continued from page 42

licable will not preclude deficits for over a short period but will mean a budgetary policy involving the balancing of the budget in the long run.

3. It is understood that the business practices and business arrangements referred to in paragraph 3 of Article II mean:

(a) Fixing prices, terms or conditions to be observed in dealing with others in the purchase, sale or lease of any products;

(b) Excluding enterprises from, or allocating or dividing, any territorial market or field of business activity or allocating customers, or fixing sales quotas or purchase quotas;

(c) Discriminating against particular enterprises;

(d) Limiting production or fixing production quotas;

(e) Preventing by agreement the development or application of technology or invention whether patented or unpatented;

(f) Extending the use of rights under patents, trade marks or copyrights granted by either country to matters which according to its laws and regulations are not within the scope of such grants, or to products or conditions of production, use or sale which are likewise not the subjects of such grants;

(g) Such other practices as the two Governments may agree to include.

The foregoing reproduces the definition of restrictive business practices contained in Article 46, paragraph three, Havana International Trade Organization Charter.

4. It is understood that the Government of Italy is obligated to take action in particular instances in accordance with paragraph 3 of Article II only after appropriate investigation or examination.

5. It is understood that the phrase in Article V, "After due regard for the reasonable requirements of Italy for domestic use" will include the maintenance of reasonable stocks of the materials concerned and that the phrase "commercial export" might include barter transactions. It is also understood that arrangements negotiated under Article V might appropriately include provision for consultation, in accordance with the principles of Article Thirty-two of the Havana Charter for an International Trade Organization, in the event that stockpiles are liquidated.

6. It is understood that the Government of the United States of America in making the notifications referred to in paragraph 3 of Article IX will bear in mind the desirability of restricting, so far as practicable, the number of officials for whom full diplomatic privileges will be requested. It is also understood that the detailed application of Article IX will, when necessary, be the subject of inter-governmental discussion.

7. It is understood that the Government of Italy will not be requested, under paragraph 2 (a) of Article VII, to furnish detailed information about minor projects or confidential commercial or technical information, the disclosure of which would injure legitimate commercial interests.

8. It is understood that if the Government of Italy should accept the compulsory jurisdiction of the International Court of Justice under Article 36 of the statute of the Court, on suitable terms and conditions, the two Governments will consult with a view to replacing the second sentence of paragraph 1 of Article X with provisions along the following lines: "It is understood that the undertaking of each Government in respect of claims espoused by the other Government pursuant to this paragraph is made in the case of each Government under the authority of and is limited by the terms and conditions of such effective recognition as it has heretofore given to the compulsory jurisdiction of the International Court of Justice under Article 36 of the statute of the Court".

Current Discussions With Colombian Economic Mission

[Released to the press July 11]

The Department of State announced July 1 that a Colombian economic mission is conferring with Department officials and other interested agencies of the Government regarding financial and commercial matters.

One of the items under discussion is the implementation of the 10-million-dollar Export-Import Bank loan granted Colombia for rehabilitation purposes following the recent disturbance in that country. The Colombians are discussing with the Export-Import Bank the types of materials and equipment which might be purchased under the credit.

The Colombian mission is also holding preliminary talks with officials of the International Bank for Reconstruction and Development regarding long-term loans, and is conferring with officials of the International Monetary Fund.

Members of the mission are as follows: Alfonso Araujo, former Minister of Public Works; José Gutiérrez Gómez, President of the National Association of Industrialists; Arturo Bonnet, Office of Exchange Controls; Alfredo MacCausland, Director General of the Colombian Customs Board; Alfonso Mesa Salazar; Ezequiel Castaneda, Director of the Stabilization Fund and Assistant Manager, Banco de La República; Alberto Albán Lievano, Director of National Railways; Roberto Botero Londono; and Augustín Vélez Restrepo, Economic Adviser, Banco de La República.

Free Port of Monrovia To Be Opened

Thomas E. Lyons, Special Assistant to the Secretary of Commerce and Executive Secretary of the Foreign Trade Zones Board in the Department of Commerce, departs this week for Monrovia, Liberia, where he is to undertake a survey of the American-constructed port which is soon to be opened and which will be the first free port on the west coast of Africa.

In 1943 lend-lease funds were made available for the construction of a modern port and port works at Monrovia. Under the terms of the agreement providing for the construction of the port, the Government of Liberia agreed that upon its completion it should be operated as a free port. It is expected that this port will attract an increasingly large amount of traffic to Liberia en route to the now scarcely accessible hinterlands of the British and French colonies bordering Liberia. It is also anticipated that this port will greatly facilitate the movement of goods between Liberia and other West African ports. Mr. Lyons will assist in organizing the free port along established technical lines.

Cultural Leaders Awarded Grants-in-Aid United States

[Released to the press June 30]

Grants-in-aid have been extended by the Department of State to a group of five educators from various institutions in the United States to enable them to serve on the summer-session faculty of the University of Habana beginning July 5 and continuing through August 14. They will give courses in the English language, United States literature and history, and civic recreation.

Those receiving grants for participation in this program are C. M. Hutchings, associate professor of romance languages at the University of Cincinnati; Thomas E. Downey, assistant professor of history, University of Notre Dame; Ralph B. Long and Malcolm Forsman, both of the department of English, University of Texas; and Nash Higgins, superintendent, board of public recreation, Tampa, Florida. Dr. Hutchings will give courses in the English language and phonetics; Dr. Downey will give courses in United States history; Dr. Long and Mr. Forsman will give courses in the English language and United States literature; and Mr. Higgins will give a course in civic recreation.

Uruguay

Ergasto H. Cordero, director of the Museum of Natural History, Montevideo, has arrived in the United States to confer with officials of the Fish and Wildlife Service and to visit universities, laboratories, museums, and fish hatcheries in various parts of the United States.

His visit has been arranged under the travel grant program of the Department of State administered by the Division of International Exchange of Persons in cooperation with the Fish and Wildlife Service of the Department of the Interior and the National Museum.

Haiti

Arsene Magloire and Ulrick Telson, engineer with the Department of Public Works of Haiti, have been awarded grants by the Department of State to enable them to study highway construction in this country with the cooperation of the Public Roads Administration.

They will spend two months in the United States, returning to Haiti by way of Puerto Rico where they will spend an additional month in study and observation. They will attend the exhibit of highway machinery to be held in Chicago from July 17 to July 26.

THE FOREIGN SERVICE

Consular Office

The American Consulate at Hull, England, was closed to the public on May 31, 1948. The consular district for Hull has been temporarily assigned to Newcastle-on-Tyne.

PUBLICATIONS

Letters of Credence

Argentina

The newly appointed Ambassador of the Argentine Republic, Jerónimo Remorino, presented his credentials to the President on July 2. For the text of the Ambassador's remarks and for the President's reply, see Department of State press release 536 of July 2, 1948.

THE DEPARTMENT

William C. Johnstone, Jr., Named
Head of OEX

William C. Johnstone, Jr., dean of the School of Government and professor of political science at George Washington University, has been appointed Director of the Office of Educational Exchange, effective July 1, 1948.

Dr. Johnstone succeeds Kenneth Holland, director of the Office for the past three months, who will return to Paris immediately to resume his duties as the United States adviser on UNESCO affairs.

As director of OEX, Dr. Johnstone will have charge of the Department's educational-exchange programs and policies in the fields of educational, scientific, and cultural affairs. This responsibility will include programs of international educational exchange conducted by the Department of State and other Federal agencies, the operation of American libraries and schools abroad, assistance to American-sponsored institutions abroad, and stimulating and facilitating the educational-exchange activities of private agencies.

Department of State

For sale by the Superintendent of Documents, Government Printing Office, Washington 25, D. C. Address requests direct to the Superintendent of Documents, except in the case of free publications, which may be obtained from the Department of State.

Participation of the United States Government in International Conferences, July 1, 1946-June 30, 1947. International Organization and Conference Series I, 1. Pub. 3031. xx, 373 pp. 65¢.

Contains brief accounts of international conferences and meetings in which the U.S. Government participated officially during the period, including the composition of United States delegations.

Canol Project: Arrangement for Evaluation of all Facilities. Treaties and Other International Acts Series 1695. Pub. 3066. 3 pp. 5¢.

Agreement Between the United States of America and Canada—Effected by exchange of notes signed at Ottawa Feb. 26, 1945; entered into force Feb. 26, 1945.

Second Report to Congress on The United States Foreign Aid Program, For the Period Ended March 31, 1948. Economic Cooperation Series 8. Pub. 3148. 138 pp. 35¢.

Report on the accomplishment of the purposes of the Foreign Aid Act of 1947—"to alleviate conditions of hunger and cold and prevent serious economic retrogression." Includes details on the distribution, use, and sale of commodities.

National Commission News, July 1, 1948. Pub. 3175. 10 pp. 10¢ a copy; \$1 a year domestic, \$1.35 a year foreign.

Prepared monthly for the United Nations Educational, Scientific and Cultural Organization.

Current United Nations Documents: A Selected Bibliography¹

General Assembly

Official Records of the Second Part of the First Session of the General Assembly. Second Committee. Economic and Financial Questions. Summary Record of Meetings, 1 November-9 December 1946. xii, 189 pp. printed. \$2.00.

Trusteeship Council

Reply of the Government of the Union of South Africa to the Trusteeship Council Questionnaire on the Report to the United Nations on the Administration of South West Africa for the Year 1946. T/175, June 3, 1948. viii, 230 pp. mimeo.

Disposition of Agenda Items [Second Session]. T/INF/6, June 11, 1948. 29 pp. mimeo.

Security Council

Official Records:

Second Year:

Supplement No. 6. [Annex to meeting of February 18, 1947; reproductions of eleven exhibits submitted by the U.K. in connection with complaint against Albania.] 40¢.

July 11, 1948

Third Year:

No. 63. 288th meeting, 29 April 1948. 29 pp. printed. 30¢.

No. 65. 291st meeting, 12 May 1948. 21 pp. printed. 20¢.

No. 66. 292d meeting, 15 May 1948. 27 pp. printed. 30¢.

No. 67. 293d meeting, 17 May 1948. 21 pp. printed. 20¢.

No. 69. 296th meeting, 18 May 1948. 23 pp. printed. 25¢.

Supplement for April 1948. 12 pp. printed. 10¢.

Letter Dated 26 May 1948 from the Chairman of the Atomic Energy Commission to the President of the Security Council Transmitting the Third Report of the Commission. S/812, June 2, 1948. 80 pp. mimeo.

Committee of Good Offices on the Indonesian Question. Report to the Security Council on the Federal Conference Opened in Bandung on 27 May 1948. S/842, June 16, 1948. 37 pp. mimeo.

¹ Printed materials may be secured in the United States from the International Documents Service, Columbia University Press, 2960 Broadway, New York City. Other materials (mimeographed or processed documents) may be consulted at certain designated libraries in the United States.

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Contributors

Louis J. Halle, Jr., author of the article on cooperative education programs of the Institute of Inter-American Affairs, is Special Assistant to the Director of the Office of American Republic Affairs, Department of State, and is also a member of the Board of Directors of the Institute.

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The Department of State

bulletin

Vol. XIX, No. 472
July 18, 1948

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Publications of the Department, as well as legislative material in the field of international relations, are listed currently.

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GERMANY, THE SOVIET UNION, AND TURKEY DURING WORLD WAR II

by Harry N. Howard

The Position of Turkey on the Eve of the War

During World War II the Turkish Republic, as its natural in view of its strategic position at the crossroads of three continents, was of great interest to both the Axis powers and the nations allied during that struggle. Documentary evidence has thrown some light on Axis policy with respect to the Near East generally during the war period. This area was of considerable economic, political, and strategic significance.¹

It will be recalled that following World War I which led to the partition of the Ottoman Empire and the establishment of the Turkish Republic, Turkey pursued a policy of friendship in good faith with the Soviet Union, based on the treaties of March 16, 1921, and December 17, 1925. Turkey entered the League of Nations on July 18, 1932, and took a leading part, along with Greece, in the Balkan conferences (1930-1934) and the Balkan Entente (February 9, 1934). With Soviet support, Turkey succeeded in revising the Lausanne Treaties convention (1923) at the Montreux conference of 1936, although its relations with the Soviet Union were somewhat complicated by Turkey's orientation toward Great Britain and France in the years between 1936 and 1939. Diplomatic relations with Germany and Italy remained in force, officially "correct" but not cordial, in the years immediately prior to the outbreak of the war in September 1939.

The Turkish press and Turks who were influential in public life did not look with favor upon the events which led to the Munich agreement of September 29-30, 1938, and the steady German diplomatic and economic advance into the Balkan region was viewed with cautious eye. The Italian invasion of Albania on April 7, 1939, caused considerable apprehension in Turkish official circles, despite the reassuring statements of Premier Mussolini. That the German Foreign Office was

not unaware of the possible influence of the Italian venture in Albania on Turkey was evident from the sending of Baron Franz von Papen to the post of Ambassador to Turkey, following his retirement after the *Anschluss* with Austria in April 1938, with the responsibility of keeping Turkey in line with German policy and also of keeping Turkey neutral, at least, in the event of another great war.

Events moved very rapidly in southeastern Europe in the spring of 1939, following the German march into Praha and the destruction of the Republic of Czechoslovakia, where the diplomatic missions of Germany, Great Britain, France, and the Soviet Union were all very active. As early as February 1939 the Soviet Union had proposed a Black Sea pact to protect its southern approaches. Moreover, on April 13, 1939, Prime Minister Chamberlain, following the offer of a guaranty to Poland, announced in the House of Commons that Great Britain attached the greatest importance "to the avoidance of disturbance by force or threat of force of the *status quo* in the Mediterranean and the Balkan Peninsula", offered support to Greece and Rumania, in case their independence were threatened, and communicated this declaration to Turkey. The French Government made a similar declaration.²

Although Rumania had refused to participate in the "encirclement" of Germany, it was still an open question whether Turkey would become involved in this policy. Von Ribbentrop told Von Papen in mid-April 1939 that if the "encirclement" ring were closed, this time with the participation of Turkey in contrast to 1914, there would be no alternative to war. Von Papen arrived in Turkey on April 29, 1939, the very day that M. Potemkin, the Soviet Vice-Commissar for

NOTE: See footnotes on p. 76.

Foreign Affairs, had arrived in Ankara for important conversations, and both were received by President İnönü on this date. While Potemkin impressed on Turkey the desirability of resistance to possible German aggression and the importance of strengthening relations among the Balkan States, especially with Great Britain and France, Von Papen recalled the old Turco-German friendship and insisted that there were no reasons for strained relations between Germany and Turkey and no reason for Turkish fears.

Turkey, apparently, was not unreceptive to the British announcement of April 13, although the British appeared to desire an agreement to protect the entire Mediterranean while Turkey desired to bind itself only in the eastern Mediterranean. On May 12, 1939, pending conclusion of a definitive instrument, Great Britain and Turkey signed a provisional agreement, declaring their joint concern for the security of the Balkan region and pledging their cooperation in the event of aggression leading to war in the Mediterranean.³ At the same time France and Turkey were reaching agreement concerning the Hatay (Alexandretta) region—an agreement ultimately signed on June 23, 1939.

Meanwhile, Von Papen came to Berlin for the signature of the German-Italian alliance of May 22, 1939, using the occasion to advise Count Ciano of Turkish fears concerning Italian policy as to Albania, and proposing that Italy return the Dodecanese Islands to Turkey and pointing out the important strategic position of Turkey in Germany's calculations.⁴ On his return to Ankara the German Ambassador continued to warn Berlin concerning the possibilities of encirclement, indicating that Great Britain had asked Turkey to agree to make it possible for the British to render active assistance to any state guaranteed by it, in case it should come to a showdown. The Germans interpreted this to mean that Turkey, even if not directly attacked, would permit passage of British warships through the Straits to assist the Soviet Union.⁵

The German-Soviet Pact of Nonaggression and the Problem of Turkey

The position of Turkey was discussed considerably in the weeks immediately preceding the signing of the Soviet-German pact of nonaggression on August 23, 1939. At the conference between

Hitler and Ciano at Obersalzberg on August 1939, for example, when the Balkan problem was surveyed, it was recognized that the Axis could count on Bulgaria only as reliable and that the Dodecanese Islands might be placed in a difficult position because of the Turkish attitude.⁶ Moreover, in a conversation between Admiral Canaris, German Naval Intelligence and General Keitel on August 17,⁷ Canaris called attention to the action of the British in the Balkans and tried to explain that "the English would certainly have everything prepared in the Balkans" for eventualities. Bulgaria would not prove useful "as an ally as it would be attacked at once by Rumania and Turkey". But such a development did not alarm the Führer, who, in a secret talk to the Supreme Commander and Commanding Generals on August 22, 1939, at Obersalzberg, stated that he had "decided to go with Stalin", remarking that there were only three "great statesmen in the world: Stalin, myself, and Mussolini". Turkey, in the Führer's mind, was "ruled by morons and half-idiot" following Atatürk's death and need cause no worry.⁸

On August 23, 1939, the Soviet-German non-aggression agreement was signed in Moscow. As a prelude to formal negotiation of the agreement, Stalin was informed that Germany would be prepared to recognize the primary Soviet interests in the region from the Baltic to the Black Sea, and the Germans continually repeated that despite certain ideological differences, there was no reason for basic conflict of interest. In the delimitation of spheres in southeastern Europe, Bessarabia was assigned to the Soviet Union, and Germany indicated a political distinterestedness despite economic interests in southeastern Europe "even, if necessary, as far as Constantinople and the Straits."¹⁰ Although Von Ribbentrop indicated that the problem of Turkey had not been discussed, in fact, it was discussed with Stalin and Molotov on the night of August 23-24,¹¹ Stalin himself asking Ribbentrop what Germany thought about Turkey. The German Foreign Minister indicated that he had done everything to promote more friendly relations with Turkey but that Turkey had become "one of the first countries to join the encirclement pact against Germany and had not even considered it necessary to notify the Reich Government of the Pact". Both Stalin and Molotov observed that the Soviet Union had

ad "a similar experience with the vacillating policy of the Turks".

Von Papen deemed it his primary duty to keep Turkey from going into the war on the side of Great Britain and to preserve the economic ties between Turkey and Germany, especially in view of the importance of Turkish chrome for Germany.

Official Turkey was lukewarm in its attitude and policy toward Germany, and there is no doubt that the Turkish Government was somewhat shocked at the seeming shift in the position of the Soviet Union in the signing of the pact of August 23, 1939.

The Turkish Negotiations With the Soviet Union, September-October 1939: The Anglo-Franco-Turkish Treaty

As a result of the signature of the Soviet-German treaty of August 23 both Mussolini and Hitler envisaged that Turkey would be forced to alter its position. Thus, on August 25, 1939,¹² Hitler wrote Mussolini that Turkey would have to revise its "previous position", and Mussolini replied on the same day that the treaty blockaded both Rumania and Turkey and that "a new attitude on the part of Turkey would upset all the strategic plans of the French and English in the Eastern Mediterranean".

The Turkish Foreign Minister, Şükrü Saraçoglu, was in Moscow from September 25 to October 17, 1939, for the purpose of signing a pact with the Soviet Government with provisions concerning the Straits, the essence of which had been discussed between Ambassador Terentiev and Saraçoglu in Ankara.¹³ But Saraçoglu ran into difficulties in Moscow, for the Soviet position appeared to have altered considerably. Ribbentrop was again in Moscow on September 28 to sign a new agreement on the delimitation of German-Soviet spheres in Eastern Europe, and the Turkish Foreign Minister was kept waiting for three weeks.¹⁴

As a matter of fact, the German Foreign Office was much interested in the Soviet-Turkish negotiations, and as early as September 2, Count von der Schulenburg, the German Ambassador to the Union of Soviet Socialist Republics, reported that Molotov had confirmed rumors from Istanbul that Turkey was already negotiating with the Soviet Union.¹⁵ After consulting with Stalin, Molotov told Schulenburg that there was only a non-

aggression pact with Turkey and relations were "good in general." Moscow was prepared to work for permanent neutrality of Turkey, as desired by Germany, and the German conception of the Turkish position in the conflict which had broken out on September 1 was shared in Moscow. No use of Molotov's remarks, however, was to be made in dealing with the Turks. On September 5¹⁶ Schulenburg asked Molotov to continue working on Turkey "with a view to permanent neutrality", mentioning rumors that Great Britain was putting pressure on Rumania to take an active part and was holding out a prospect of aid from British and French troops. Since such assistance might come by sea, "it was in the interests of the Soviet Government to prevail upon Turkey to close the Dardanelles completely". Molotov thought the Soviet Union had "considerable influence" with Turkey and was exerting it in this sense, adding that the conversations on a mutual-assistance pact had borne no fruit. Moreover, Stalin told Schulenburg on September 17¹⁷ that Turkey had proposed an assistance pact which was to apply to the Straits and the Balkans but would obligate Turkey to assist the Soviet Union only in "such actions as are not directed against England and France". The Soviet Government was not "greatly edified" by this suggestion and was considering a clause whereby the Soviet Government would not be obligated to any action against Germany. Voroshilov, who was present, thought such a pact would be a "hook" by which Turkey could be pulled away from France". On October 2¹⁸ Schulenburg was instructed to inform Molotov of the German belief that Turkey would hesitate as to the Anglo-Franco-Turkish pact if the Soviet Union "emphatically" opposed it, and it was important in the Soviet interest, because of the question of the Straits, "to forestall a tie-up of Turkey with England and France". Ribbentrop was therefore especially anxious that the Soviet Government dissuade Turkey "from the final conclusion of mutual assistance pacts with the Western powers and to settle this at once with Moscow". Probably the best solution would be the return of Turkey to a policy of absolute neutrality, while confirming existing Soviet-Turkish agreements. Prompt and final diversion of Turkey from the Anglo-French treaty, Von Ribbentrop felt, would also be "in keeping with the peace offensive agreed upon in Moscow" on September 28, since another country

"would withdraw from the Anglo-French camp." Von Papen had similar instructions on October 2¹⁹ and was to advise the Turks of the strong Soviet aversion toward a pact with Great Britain and France. Molotov appeared to share the German view of the situation, although it appeared to him that Turkey had already become closely involved with France and Great Britain. When Schulenburg told him on October 3 of rumors that Great Britain and France intended to assault Greece and overrun Bulgaria in order to establish a Balkan front, Molotov "asserted spontaneously that the Soviet Government would never tolerate pressure on Bulgaria".²⁰ Schulenburg kept plying Molotov with advice, and on October 7 was instructed to find out in detail concerning the Soviet-Turkish negotiations, particularly with regard to the Straits.²¹ Meanwhile, Molotov had not seen Saraçoglu since October 1 and by October 9 thought a mutual-assistance pact would not be concluded, although German interests and the special nature of Soviet-German relations would be upheld, since the Soviet Government was trying to induce Turkey "to adopt full neutrality and to close the Dardanelles as well as to aid in maintaining peace in the Balkans".

There is no doubt that the Turkish Government was somewhat alarmed at the expansionist attitude shown by the Soviet Union in the direction of the Baltic States during the fall of 1939. Moreover, the treatment accorded Saraçoglu was not appreciated. In addition, the Turkish Government was not willing to accept the conditions on which the Soviet Government had insisted.

The negotiations between Turkey and the Soviet Union were broken off, therefore, on October 17, and two days later, the Anglo-Franco-Turkish treaty of mutual assistance, October 19, 1939, was signed.²² The treaty pledged mutual assistance on the part of the three signatories, "in the event of an act of aggression by a European Power leading to war in the Mediterranean". Despite the implications as to the Straits, protocol no. 2 declared specifically that Turkey's obligations could not "compel that country to take action having as its effect, or involving as its consequence, entry into armed conflict with the Soviet Union".

Mr. Molotov gave his own interpretation of the Soviet-Turkish negotiations in a report to the Fifth Extraordinary Session of the Supreme Soviet of the Soviet Union on October 31, 1939,²³ in

which Great Britain and France were accused of prolonging the war, acknowledgment was made that Soviet relations with Germany had "radically improved" and were based "on a firm foundation of mutual interests", and the Soviet actions with respect to the Baltic States were explained. There had been all sorts of rumors as to the Turkish negotiations, but Mr. Molotov denied that the Soviet Union had demanded the cession of Kars and Ardahan from Turkey. He also denied that the Soviet Union had "demanded changes in the international convention concluded at Montreux and a privileged position as regards the Dardanelles". This was "also a fabrication and a lie", for all the Soviet Union had desired, he said, was the conclusion of a "bilateral pact of mutual assistance limited to the regions of the Black Sea and the Dardanelles". Such a pact could not involve armed conflict with Germany, and the Soviet Union "should have a guarantee that, in view of the war danger, Turkey would not allow warships of non-Black Sea powers to pass through the Bosphorus into the Black Sea. Turkey rejected both these stipulations of the U.S.S.R. and thereby made the conclusion of the pact impossible." Although no pact had resulted, a number of political questions had been cleared up, including Turkey's foreign policy. The Turkish Government, according to Molotov, had preferred to tie its fate up with Great Britain and France, who were waging war on Germany, and, while this might be pleasing to France and Great Britain, Molotov wondered "whether Turkey will not come to regret this—we shall not try to guess". In any case, this was not Soviet foreign policy, thanks to which the Soviet Union had secured "not a few successes in the sphere of foreign affairs". He was convinced that the policy of peace held out the best prospect for the future and indicated that it would be pursued "in the region of the Black Sea, too, confident that we shall fully ensure its proper application as demanded by the interests of the Soviet Union and of the states friendly to the Soviet Union".

Soviet-German Relations and the Turkish Problem, June-November 1940

Relations between Turkey and the Soviet Union cooled perceptibly after October 1939, while relations between Germany and the Soviet Union ap-

ered more close, although the partners in "non-aggression" by no means fully trusted each other, especially because of Germany's diplomatic and military moves in the Balkans, notably in the case of Hungary and Rumania. The Soviet Government forced Rumania to cede Bessarabia and northern Bukovina on June 28, 1940, and on August 30, 1940, through the Vienna award, Rumania ceded one half of Transylvania. At the same time Germany gave a guaranty to Rumania, and German troops soon poured into that country for the alleged purposes of military instruction and protection of the oil fields. Moreover, the Soviet Government was also somewhat concerned when Germany, Italy, and Japan signed the Tripartite Pact on September 27, 1940.²⁴ Finally, the two powers were completely at odds over the control of the Danube River.

It was not difficult, in the view of events, for Heinrich Papen to keep Turkey from entering the war during the early part of the struggle, nor did the 1938 Anglo-Franco-Turkish treaty call for action. On the occasion of Italy's entry into the war, June 10, 1940, Turkey continued to maintain her neutrality. On July 18 Turkey signed a commercial agreement with Germany, which did not, however, provide for the shipment of chrome to Germany. Throughout the period the question of Turkey continued to be discussed between Germany and the Soviet Union, the latter regarding Turkey with "deep suspicion", as a result of Turkey's attitude toward the Soviet Union, Italy, and Germany, and this attitude was intensified by the Turkish policy "in regard to the Black Sea, where Turkey desired to play the dominant role, and the Straits, where Turkey wanted to exercise exclusive jurisdiction", as Molotov told the Italian Ambassador on June 25, 1940. The Soviet Union was apparently willing to recognize Italy's "hegemony" in the Mediterranean provided the latter recognized the Soviet position in the Black Sea. By July Soviet interest was focused on events in the Baltic and on developments in relation to Turkey and Iran, but the Soviet Union was not too fearful of German military victories on the Continent. In mid-July Stalin was quoted as having remarked to Sir Stafford Cripps that, although interested in the Balkan region, "no power had the right to play an exclusive role in the consolidation and leadership of the Balkan countries", and the Soviet Union did not assert such a mission. As to Tur-

key, he repeated that the Soviet Union was "in fact opposed to the exclusive jurisdiction of Turkey over the Straits and to Turkey's dictation of conditions in the Black Sea. The Turkish Government was aware of that."²⁵

By the fall of 1940, Berlin was ready to explore German-Soviet relations further, and on October 13²⁶ Ribbentrop wrote to Stalin suggesting that Molotov visit Berlin for talks. Stalin replied on October 21,²⁷ agreeing that a further improvement in Soviet-German relations was "entirely possible on the permanent basis of a long-range delimitation of mutual interests". Meanwhile, on November 1, President İnönü reaffirmed Turkey's non-belligerency and friendship with both Great Britain and the Soviet Union. Together with Great Britain, Turkey was studying and trying to envisage the results of the situation, and he hoped that these principles would help to maintain Turkish security in the future and declared that Soviet-Turkish friendship was of intrinsic value.

Molotov arrived in Berlin on November 12 and during the next 48 hours he had conversations with Ribbentrop and Hitler covering the entire gamut of Soviet-German relations, including such problems as the Skagerrak and Kattegat, the Baltic Sea, Finland, the Baltic States, Poland, southeastern Europe, Turkey, the Straits, Iran, and Sakhalin. Ribbentrop told Molotov on November 12²⁸ of the Führer's conviction that it would be advantageous to establish spheres of influence among Germany, the Soviet Union, Italy, and Japan, since the expansion of all was toward the south and there should be no real conflict, and reminded him of "the good business" which had been done since August 1939. Ribbentrop thought that the easiest access to the sea for the Soviet Union lay through the Persian Gulf and the Arabian Sea. Turning to Turkey, Ribbentrop, who believed the end of the war near, inquired of Soviet interest there. He thought Turkey should be induced to free itself from British ties and believed adoption of "a common platform" by Germany, the Soviet Union, Italy, and Japan would help in this direction. The Turks knew of the German position, and Ribbentrop expressed his understanding of the Soviet dissatisfaction with the Montreux Convention of the Straits, Germany being "even more dissatisfied". The Soviet Union, in Ribbentrop's view, should have certain privileges in the Black Sea, and Soviet warships and merchant vessels

should have freer access to the Mediterranean. Mussolini was also sympathetic to this view, and it seemed advisable that Germany, Italy, and the Soviet Union adopt a common policy toward Turkey, bringing that country into line with the Axis, writing a new Straits convention, and considering the problem of whether it might not be possible to "recognize the territorial integrity of Turkey".

In a talk with Hitler on November 12²⁹ Molotov was reminded that the historic moment had come, that the British Empire would be liquidated after the war, already won, and that the Soviet Union and Germany should reach a basic agreement—a point of view with which Molotov was in accord. The problem of Soviet access to the sea was stressed, and Hitler repeated that Germany was prepared at any time to effect "an improvement for Russia in the regime of the Straits". Molotov, however, wanted some specific answers to questions, particularly about Soviet interests in the Balkans and the Black Sea, and about the Tripartite Pact of September 27, 1940. The next day there were more detailed discussions with the Führer,³⁰ Molotov asserting Finland's position in the Soviet sphere, protesting against the German guaranty to Rumania, and raising the question of a Soviet guaranty of Bulgaria, which was in the zone of the Straits, remarking that the Straits were "England's historic gateway for attack on the Soviet Union". Hitler was evasive on these points but thought the decisive point was whether the Soviet Union saw an opportunity "to gain sufficient security for her Black Sea interests through a revision of the Montreux Convention". Although an immediate reply was not expected, Molotov stated that the Soviet Union only wanted to be secure from attack via the Straits and would like to settle the matter with Turkey, and that a guarantee to Bulgaria would alleviate the situation. Hitler agreed as to the freer passage of Soviet warships through the Straits, to the exclusion of nonriverain warships, but Molotov wanted something more than a "paper" guarantee. Returning to the Bulgarian problem, Molotov indicated that the Soviet Union was "prepared to guarantee Bulgaria an outlet on the Aegean Sea". In the end, Hitler felt that the question of the Straits would have to be studied further.

After dinner at the Soviet Embassy on the evening of November 13³¹ Molotov and Ribbentrop

continued their talks in the latter's air-raid shelter. Ribbentrop believed that the real problem was general collaboration between the Soviet Union and the Axis, indicating that then an understanding with Turkey could be reached, since Germany, Italy, and the Soviet Union were particularly interested in the Straits question. Even though it was clear that the discussions would take some time, in order to facilitate matters, Ribbentrop had had a draft agreement³² prepared which he submitted to Molotov for his consideration, as the discussions were continued through the diplomatic channel. In the draft the four states were to collaborate against extension of the war, for an early conclusion of the peace, and mutually to respect their spheres of influence. In the delimitation of spheres of interest, German territorial aspirations were defined in Central Africa; Italian in Northern and Northeastern Africa; Japanese in Eastern Asia; and Soviet aspirations in the direction of the Indian Ocean. But in a secret protocol no. 2 Germany, Italy, and the Soviet Union were to detach Turkey from its commitments to Great Britain and gradually to win Turkey over to political collaboration with the Axis, signing at the same time, an agreement recognizing the extent of Turkey's possessions. Finally there was to be a new Straits convention granting the Soviet Union unrestricted right of naval passage through the Straits, while all other powers, with the exception of other Black Sea powers, would renounce the right of passage for naval vessels. Commercial passage, of course, would remain free.³³

Thus ended the discussions in Berlin, and it is worthy of passing notice that on November 12 the Führer, as a precautionary move, ordered that "all preparations" for possible difficulties in the East were to continue.³³ Curiously enough, too, the files of the High Command of the German Navy³⁴ contain some interesting notes with respect to the Hitler-Molotov conversations; an entry of November 16, 1940, indicates that Molotov not only requested bases in the Turkish Straits but also demanded the Kars-Ardahan region of Turkey.

By November 25, 1940, Molotov was ready to comment definitively on the draft agreement which Ribbentrop had presented to him on November 13.³⁵ He asked Schulenburg to call on him and, in the presence of Dekanosov, the Soviet Am-

assador to Berlin, told Schulenburg that, subject to some conditions, the Soviet Government was ready to accept the draft of the Four Power Pact outlined in Berlin. As a price, German troops would have to be withdrawn immediately from Finland, although German economic interests would be protected. Secondly, within the next six months, the security of the Soviet Union in the Straits would have to be protected "by the conclusion of a mutual-assistance pact between the Soviet Union and Bulgaria" which geographically was situated within "the security zone of the Black Sea boundaries of the Soviet Union, and by the establishment of a base for land and naval forces of the U.S.S.R. within range of the Bosphorus and the Dardanelles by means of a long-term lease".²⁶ It was also stipulated that the "area south of Batum and Baku in the general direction of the Persian Gulf" be recognized "as the center of the aspirations of the Soviet Union" and that Japan renounce its rights to concessions for coal and oil in northern Sakhalin. Therefore, in Molotov's view, the draft of the protocol on spheres of influence would have to be amended in order to stipulate "the focal point of the aspirations of the Soviet Union south of Batum and Baku in the general direction of the Persian Gulf".²⁷ But it is also of special interest to note that Molotov proposed amending the draft protocol between Germany, Italy, and the Soviet Union—

to as to guarantee a base for light naval and land forces of the U.S.S.R. on the Bosphorus and the Dardanelles by means of a long-term lease, including—in case Turkey declares herself willing to join the Four Power Pact—a guarantee of the independence and of the territory of Turkey by the three countries named.

"This protocol should provide that in case Turkey refuses to join the Four Powers, Germany, Italy, and the Soviet Union agree to work out and carry through the required military and diplomatic measures, and a separate agreement to this effect should be concluded."

In addition to protocols concerning Finland and Sakhalin, Molotov also proposed a protocol which would recognize that Bulgaria was within "the security zone of the Black Sea boundaries of the Soviet Union" and therefore it was a political necessity that a Soviet-Bulgarian mutual-assist-

ance treaty should be signed. Molotov now desired a statement of the German view as to the Soviet counter-proposal for Soviet cooperation with the Axis.

The Turco-German Nonaggression Pact and the German Attack on the Soviet Union

The aftermath of the November 1940 conversations, especially in southeastern Europe, Turkey, and the Near East was interesting. On November 25, the very day on which Molotov had stated the Soviet terms to Schulenburg, Moscow made 12 proposals to Bulgaria, recalling that it was "vitally interested in the Straits for the sake of the security of the Black Sea frontier" and could not "permit a repetition of the danger" which was "constantly directed through the Straits toward southern Russia". A mutual-assistance pact was therefore proposed which would assist Bulgaria in realizing its national aspirations both in Western (Greek) and in Eastern (Turkish) Thrace and under which Bulgaria would assist the Soviet Union in case of a threat to Soviet interests in the Black Sea or in the Straits. If Turkey threatened or attacked Bulgaria, the latter would have Soviet assistance and support in the achievement of Bulgarian claims to "the European part of Turkey". Moreover the Soviet Union would withdraw objections to Bulgaria's signature of the Tripartite Pact, and it was "entirely possible that the Soviet Union" would "in this case adhere to the Three Power Pact". The Bulgarians informed the Germans of this move, felt that signature of a mutual-assistance treaty would be regarded as unfriendly in Turkey, and indicated no direct interest in the Straits.

On December 18, 1940,²⁸ the Führer ordered that the German armed forces be prepared "to crush Russia in a quick campaign even before the conclusion of the war with England", and early in 1941 there were increasing preparations for action in southeastern Europe, although Berlin was advised that Moscow would take "the strongest interest" in such movements and would want to know, especially, how Bulgaria and the Straits might be affected. There was considerable Soviet fear that Great Britain, as a countermove, might occupy both Bulgaria and the region of the Straits.

While Germany was getting ready to move into

the Balkans with force and to explain the move on the ground that it was necessary to block the British in Greece, Turkey signed a nonaggression pact with Bulgaria on February 17. Upon the German occupation of Bulgaria, on March 1, Molotov drafted a note in Schulenburg's presence expressing "regret" that Germany, by moving into Bulgaria, had done injury "to the security interests of the U.S.S.R.," maintaining its basic position as stated in the memorandum of November 25.³⁹ At the same time Hitler advised President İnönü that the move into Bulgaria would not affect Turkish interests. Meanwhile, the British Foreign Minister, Anthony Eden, was in the Near East toward the end of February 1941 attempting to reconstitute a Balkan pact, composed of Greece, Yugoslavia, and Turkey, but failed because of Yugoslav and Turkish reluctance, although the Anglo-Turkish pact was reaffirmed on February 28. The German view of the general situation and of relations between the Soviet Union and Germany was well revealed in the Matsuoka conversations in Berlin on March 27, 28, and 29 and April 4, when the Japanese Foreign Minister was told that the Soviet conditions for cooperation were not acceptable, involving, as they did, sacrifice of German interests in Finland, the granting of bases on the Straits, and a strong influence in the Balkans, especially in Bulgaria.⁴⁰

Meanwhile, as a possible counterweight to the German moves, a Soviet-Turkish agreement, reaffirming the pact of December 19, 1925, with an additional declaration covering aggression against either on the part of a third power, was signed on March 24, 1941. The next day the Svetkovich Government in Yugoslavia signed the Tripartite Pact with Germany and Italy, but was overthrown by a *coup d'état* on March 27, and the Germans concluded that Yugoslavia must be crushed immediately.⁴¹ A few hours before the attack on Yugoslavia and Greece on April 6, 1941, the Soviet Union signed a nonaggression pact with Yugoslavia, a move which the Germans considered "unfortunate".⁴² But there was no indication that the Soviet Government did not want to remain friendly with Germany.

By this time Hitler was considering an attack on the Soviet Union. June 22, 1941, was set as the date as early as April 30, 1941.⁴³ But he was also moving in the direction of a nonaggression pact with Turkey and toward a larger develop-

ment in the Near East as a whole, since Yugoslavia was crushed by April 17 and the Greek High Command had surrendered on April 23.⁴⁴ A revolt had broken out in Iraq on May 2, 1941, and Mussolini and Ribbentrop discussed this development in relation to Turkey in a conference in Rome on May 13.⁴⁵ It was agreed that help should be extended to Iraq and Von Papen was instructed "to obtain from the Turks permission for the secret passage of arms for Iraq through Turkish territory", in which case it might also be possible to send large airborne forces into Iraq for operations against the British, and even Egypt might be attacked. Il Duce thought Turkey was the Axis "trump card" and wondered whether it would march with Germany and Italy. Ribbentrop indicated that Germany was using its influence in this direction, with some prospect of success, since Turkey would not like to see large British forces in Iraq.

Germany, therefore, pushed the matter of an agreement with Turkey in May and June 1941, meeting, however, with a number of difficulties especially in view of the Anglo-Turkish treaty of 1939 and of the Turkish desire not to be drawn into the conflict.⁴⁶ Von Papen, at one point, however, took it for granted that transit of war materials to Iraq could be considered as guaranteed. But that position had to be dropped, and on June 9⁴⁷ Ribbentrop summed up the Turkish position by remarking:

"Turkey desires to conclude a treaty with Germany to assure itself against a German attack. However, simultaneously, it is desirous of maintaining the alliance with England, and visibly, to assure herself, on the side, of the possibility of collaborating with her politically and militarily. The Turkish Government must absolutely understand that if it collaborates, even on the side, with England, against whom Germany is involved in a death struggle, by this fact, it ranges Turkey on the side of Germany's enemies. Turkey would thereby abandon anew the neutrality, the reestablishment of which must be considered as the least of the results of its treaty with Germany. We are evidently in agreement as to the fact that Turkey desires that the treaty with Germany be drafted in such a manner that it does not appear as an open rupture of her treaty with England; our proposals have been drafted in this sense. If, how-

er, Turkey demands of us the positive recognition of her treaty with England and if she wishes reserve especially the possibility of collaborating with the latter; this would evidently be inacceptable for us."

At the end Germany obtained no more than the nonaggression treaty of June 18, 1941, without secret commitments or wider implications, which merely reaffirmed Turkey's prior obligations under the Anglo-Franco-Turkish treaty of October 18, 1939. Four days later, on June 22, the German armies were hurled against the Soviet Union as Hitler had already decided on April 30. It is noteworthy that Molotov indicated his inability to understand German dissatisfaction with Soviet policy, while the Germans recited their own charges against Soviet policy with respect to the Balkans and Turkey as among the reasons for the recent hostilities.⁴⁸ In Hitler's proclamation of June 22, 1941, he repeated the German version of the Molotov conversations of November 1940 for propaganda purposes, and the charges were soon denied in Moscow.

German Pressure on Turkey

With the German attack on the Soviet Union the position of Turkey took on new significance. Although Von Papen asserted that Turkey should not be used as a route to the Suez Canal and thought there were no actual military plans involving Turkey, this situation might change if Marshal Rommel finally reached the Suez Canal and the German armies in the east attained the Persian Gulf via the Caucasus, in which case Turkey would be surrounded and would lose much of its strategic value to Germany.⁴⁹ The Germans, of course, soon told the Turks about the Soviet-German conversations, but on August 10, 1941, Great Britain and the Soviet Union confirmed their fidelity to the Montreux convention and assured the Turkish Government that they had no aggressive intentions or claims with regard to the Straits. Both Governments were prepared scrupulously to respect the territorial integrity of the Turkish Republic, and, in the event of an attack by a European power, they were ready to give Turkey every help and assistance. The Germans also sought to stimulate Turkish official interest in the Pan-Turanian movement with a view to territorial aggrandizement, but without success in view of the nationalistic legacy of Atatürk.⁵⁰

On October 9, 1941, as foreshadowed in the June 18 treaty, a German-Turkish economic agreement was signed after desperate German efforts to secure Turkish chrome, but it was not to be valid before March 31, 1943, for an exchange of goods to the value of about £T100,000,000. Germany was to provide steel and war materials in exchange for Turkish raw materials. Turkey was to supply Germany with 90,000 tons of chrome in each of the years 1943 and 1944, but only after Germany had delivered to Turkey war materials to the value of £T18,000,000, and after the expiry of the Anglo-Turkish agreement concerning chrome. The United States—four days prior to the Japanese attack on Pearl Harbor—declared the defense of Turkey essential to the defense of the United States and extended lend-lease assistance to Turkey on December 3, 1941.

During the period immediately prior to and just after the entry of the United States into the war, there was considerable German discussion as to the position of Turkey. The Germans knew that Turkey desired to avoid open hostilities but pointed out that while Great Britain could offer nothing to Turkey, Germany held in her hands "the Greek islands at the entrance of the Dardanelles", which were of vital importance to Turkey. In the event of success against the Soviet Union, Turkey must become "more and more friendly", although since the period of Atatürk, Turkey had been pursuing a policy of national consolidation and domestic reconstruction and had expressed "no desire at all to obtain any territorial gain". Nevertheless, it might be induced to "enlarge its benevolent neutrality and to facilitate access to the Arab territories and the Suez Canal for the German High Command".⁵¹ Von Papen, however, reported on January 5, 1942,⁵² that the American entry into the war had produced a "sentiment of profound deception" in Turkey, which would reiterate its desire to avoid hostilities, and he did not believe that Turkey should be pushed too far, lest Turkey enter the war on the other side, although there were fears regarding the Soviet Union, particularly on the part of Numan Menemencioglu.

Turkish policy continued to develop in this manner during the spring and summer of 1942, and Near Eastern questions, particularly that of Turkey, figured largely in the Hitler-Mussolini conversation at Salzburg on April 29, 1942,⁵³ when

Hitler assured Il Duce that "Turkey was moving slowly but surely over to the Axis" in view of the suspicion of the Russians. There was also the problem of an Axis declaration concerning the independence of India and the Arab countries. Hitler and Molotov agreed that this matter could wait, however, and Hitler took the position that such a declaration would only be a practical matter "when the Axis troops stood south of the Caucasus". German pressure on the Turks continued in the summer, the Germans insisting on the "unrealistic" character of Turkish policy, conjuring the Soviet demands on the Straits before the Turks, and holding out the Pan-Turanian dream, only to meet the view that the preservation of the "absolute neutrality" of Turkey was indispensable. However, a new trade agreement was signed on June 2, 1942, and it was announced on September 29 that Turkey had contracted to send 45,000 tons of chrome, about one half the annual production, to the Krupp works in exchange for arms.⁵⁴

Turkey, the United States, and Great Britain

Following the Casablanca meeting of President Roosevelt and Prime Minister Churchill on January 14, 1943, and clearing of North Africa, there were possibilities that Turkey might be involved, with resulting German pressure or invasion of the country. Mr. Churchill, therefore, telegraphed President İnönü on January 26, and the two met at Adana on January 30, after which Churchill declared the British wish to see Turkish territories, rights, and interests effectively preserved, and the British desire to have "warm and friendly relations" between Turkey and the Soviet Union.⁵⁵

Following the Quebec (August 11-24), Moscow (October 19-30), and Tehran (November 28-December 1) conferences, President Roosevelt and Prime Minister Churchill conferred with President İnönü and Foreign Minister Menemencioglu at Cairo on December 4-6, 1943. Indeed, it had been agreed at the Tehran conference on December 1, 1943, that, from the military point of view, "it was most desirable that Turkey should come into the war on the side of the Allies before the end of the year".⁵⁶ Moreover, note was taken of Marshal Stalin's statement that "if Turkey found herself at war with Germany, and as a result Bulgaria declared war on Turkey or attacked her", the Soviet Union "would immediately be at war with Bul-

garia".⁵⁷ The conference further took note that this fact could be explicitly stated in the forthcoming negotiations to bring Turkey into the war. A communiqué was issued after the Cairo conference which declared that İnönü, Roosevelt, and Churchill had examined the general situation, taken into account the "joint and several interests of the three countries", and indicated that "the closest unity existed between the United States of America, Turkey and Great Britain in their attitude to the world situation". It was also stated that the identity of interests and views of the United States and Great Britain with those of the Soviet Union and the traditional friendship between the three powers and Turkey had been reaffirmed throughout the proceedings at the Cairo conference.

The subject of the Cairo conversations had been Turkey's possible entry into the war, and Numan Menemencioglu later indicated that the talks had been carried on with "almost brutal" frankness but that the Anglo-Turkish ties had been strengthened. As a result, Anglo-Turkish military discussions were carried on in January and February but were broken off on February 3, 1944. Nevertheless, events now moved ineluctably toward a break with Germany, first economically and then diplomatically. By April 20, 1944, Turkey was induced to stop the shipments of chrome to Germany, effective the next day, although on May 24, 1944, Mr. Churchill, in a statement to the House of Commons⁵⁸ spoke "bluntly", indicating that no pressure had been brought to bear on Turkey and stating that Turkey would not have the strong position at the peace conference which would attend entry into the struggle. He noted the suspension of chrome shipments, however, looked toward entire suspension of economic relations with Germany, and expressed confidence that a still better day would dawn for Anglo-Turkish relations, and indeed, "with all the great Allies". In June there were difficulties with respect to the passage of certain German ships through the Straits, and Mr. Eden expressed his disturbance in the House of Commons concerning the matter on June 14. On June 15, 1944, Numan Menemencioglu resigned as Foreign Minister.⁵⁹

On August 2, 1944, Turkey broke off diplomatic and economic relations with Germany. Although the Soviet Government was reserved in its attitude toward the Turkish action, Prime Minister

Churchill announced in the House of Commons that he could not forget that "Turkey declared her alliance with us before the present war, when our armaments were weak and our policy pacific". The Turkish action had infused "new life into the alliance" between Turkey and Great Britain. If Turkey were attacked by Germany or Bulgaria, Great Britain would, of course, make common cause. The British Prime Minister also hoped that the break with Germany would "contribute to the continuity of friendship of Turkey and Russia". Two days later Von Papen and his staff of the German Embassy in Ankara departed for Germany.

In the months which followed, the United States and Great Britain opened conversations with the Turkish Government concerning the right of merchant vessels to pass through the Straits into the Black Sea; the United States, however, assumed that there was no need for special agreement in view of the provisions of the Montreux convention. By the middle of January 1945 supplies to the Soviet Union were passing through the Turkish Straits. On February 23, 1945, Turkey declared war on Germany and Japan and the next

day announced its intention to adhere to the Declaration by United Nations, and the adherence of Turkey was, in fact, signed on February 28, 1945.⁶⁰

The policy and position of Turkey, at the crossroads of three continents, situated at the Straits and occupying a strategic key to the entire Near and Middle East, were naturally of concern both to the Axis and to the Allies during the entire period of World War II. It was also natural that the Turkish Government should have adopted a cautious policy throughout this period. The evidence indicates that Turkey was faithful as a nonbelligerent to its obligations under the Anglo-Turkish treaty of 1939 and that its position as a neutral served the interests of the Allies. Had it acted prematurely the entire Near East might well have been thrown open to the Axis armed forces in the critical period of 1940-1942. In the end, it did not become involved in actual armed conflict largely because there was no concerted or integrated plan for Turkish operations, no Balkan campaign was carried out on a scale to involve Turkish forces, and no supplies were diverted by the western powers for this purpose.

Statistics Concerning Shipping in the Turkish Straits

TABLE I

Registered Net Tonnage (1913-1923)¹

Flag	1913 ²	1920 ³	1921	1922	1923
American		266, 679	300, 277	589, 778	222, 481
Austro-Hungarian	1, 615, 293				
Belgian	295, 038				
British	5, 370, 781	557, 353	204, 065	1, 488, 171	1, 994, 689
Dutch	199, 034	46, 419	121, 488	210, 754	380, 817
French	572, 730	231, 318	500, 062	644, 073	632, 087
German	733, 600		38, 508	38, 311	167, 651
Greek	1, 958, 201	331, 203	559, 338	614, 804	276, 283
Italian	370, 302	329, 491	385, 684	759, 062	1, 513, 180
Norwegian	288, 203				
Rumanian	350, 302	138, 537	172, 885	284, 925	457, 564
Russian	1, 428, 435	256, 375	64, 371	31, 042	68, 498
Turkish	906, 416	77, 331	18, 453	29, 668	296, 322
Other		238, 109	360, 277	473, 162	490, 606
Total	13, 412, 065	2, 472, 815	2, 725, 408	5, 164, 650	6, 500, 178

¹ These statistical data have been gathered from the following sources: (1) *Rapport de la Commission des Détroits à la Société des Nations* (1924-1935); (2) *République turque. Ministère des Affaires étrangères. Rapport Annuel sur le Mouvement des Navires à Travers les Détroits et des Atterages Civils entre la Méditerranée et la Mer Noire* (1936-1941); (3) *T. C. Istanbul Ticaret ve Sanayi Odası Mecmuası (Bulletin de la Chambre de Commerce et d'Industrie d'Istanbul)* (1941); (4) *Sevkelet İstatistik. Umum Mudurluğu (Republique turque. Présidence du Conseil. Office central de statistique). İstatistik Yıllığı (Annuaire Statistique)*, vol. 12, no. 194. 1940-1941 Ankara, 1941).

² From Phillipson and Buxton, *The Question of the Dardanelles and Bosphorus*, pp. 232-233. In 1911 the number of vessels passing the Bosphorus was 34,562, with a total tonnage of 19,968,409; in 1912 there were 34,577, with a total tonnage of 15,298,537; and in 1913 there were 34,826 vessels, with a total tonnage of 13,412,065.

³ From G. B. Ravndal, *Turkey: A Commercial and Industrial Handbook*, Bureau of Foreign and Domestic Commerce, Trade Promotion Series 28, p. 60.

TABLE II
Registered Net Tonnage (1924-1938)

Flag	1924	1925	1926	1927	1928	1929	1930	1931
<i>General</i>								
American	169, 938	154, 000	126, 941	166, 809	203, 110	287, 187	468, 850	370, 802
British	1, 984, 783	2, 242, 000	2, 499, 471	2, 080, 330	1, 915, 053	2, 778, 946	3, 669, 816	3, 684, 132
Dutch	396, 799	323, 000			397, 654	422, 436	551, 458	669, 618
French	570, 412	627, 000	825, 039	831, 429	866, 010	897, 847	889, 318	1, 109, 469
German	260, 863	469, 000	464, 337	540, 817	576, 943	643, 566	806, 860	813, 099
Italian	1, 518, 052	1, 802, 000	2, 463, 861	2, 624, 822	2, 214, 586	3, 538, 205	4, 551, 027	5, 016, 973
Norwegian	112, 773	169, 000	362, 186		689, 853	905, 048	1, 108, 512	1, 451, 169
Polish	5, 191	9, 000			6, 335	7, 197	6, 916	
<i>Regional</i>								
Bulgarian	87, 183	92, 000	83, 701	87, 041	103, 509	117, 673	90, 016	
Egyptian	48, 876	151, 000			106, 509	112, 402	113, 968	
Greek	827, 000	1, 270, 000	2, 122, 861	1, 592, 795	779, 950	1, 243, 082	3, 400, 512	3, 351, 389
Palestinian								
Rumanian	364, 134	479, 000	550, 873	432, 331	468, 183	489, 164	547, 620	605, 816
Russian	172, 402	196, 000	188, 022	295, 004	468, 891	572, 095	612, 713	324, 472
Turkish ^{1 2}	715, 103	774, 000						
Yugoslav	36, 173	31, 000	143, 154	91, 422	22, 780	64, 948	167, 770	
Total	7, 646, 550	9, 178, 000	10, 643, 812	9, 897, 579	9, 218, 371	12, 767, 012	17, 864, 753	19, 198, 346

¹ The figures for Turkey, which are not included after 1925, do not include sailing vessels and coasting vessels from the Sea of Marmara, amounting to about 500,000 tons.

² The figures for Turkey, 1936-1941, are taken from *T. C. Istanbul Ticaret ve Sanayi Odasi Mecmuasi* (*Bulletin de la Chambre de Commerce et d'Industrie d'Istanbul*). They are not included in the total figures for the years indicated.

TABLE II
Registered Net Tonnage (1924-1938)—Continued

Flag	1932	1933	1934	1935	1936 ³ Aug. 15- Dec. 31, 1936	1937	1938
<i>General</i>							
American	196, 717	175, 850	147, 048	189, 252	108, 512	207, 013	275, 545
British	2, 847, 770	2, 616, 755	2, 586, 817	1, 986, 232	923, 796	2, 601, 497	2, 890, 184
Dutch	503, 676	562, 884	423, 356	353, 357	152, 852	569, 165	372, 842
French	1, 011, 056	524, 625	518, 136	394, 250	291, 201	1, 261, 999	408, 073
German	619, 064	655, 566	573, 083	452, 073	373, 323	754, 434	627, 384
Italian	4, 230, 477	4, 160, 918	3, 414, 456	2, 527, 164	799, 156	2, 167, 770	1, 604, 666
Norwegian	2, 104, 843	2, 232, 632	2, 165, 998	968, 032	229, 480	959, 658	743, 700
Polish					235, 264	187, 289	196, 998
<i>Regional</i>							
Bulgarian		91, 143	130, 873	135, 792	133, 022	180, 379	154, 413
Egyptian		103, 406	73, 454	45, 619	24, 881	30, 304	22, 881
Greek	2, 469, 396	2, 974, 505	2, 294, 990	1, 861, 400	341, 929	1, 648, 211	1, 576, 094
Palestinian					58, 964	75, 584	
Rumanian	643, 038	770, 399	749, 895	654, 788	474, 059	709, 536	647, 391
Russian	752, 340	985, 961	912, 792	1, 614, 564	338, 410	1, 111, 351	740, 098
Turkish ^{1 2}					2, 315, 981		2, 875, 777
Yugoslav		124, 841	101, 906	6, 080		57, 438	67, 040
Total	17, 514, 641	17, 445, 427	15, 504, 374	12, 322, 012	4, 781, 232	12, 957, 364	10, 762, 266

³ There was no report, apparently, for the months of January to August 1936, since the Commission of the Straits ceased to function in the fall of 1936. The monthly figures in *Bulletin de la Chambre de Commerce et d'Industrie d'Istanbul* make a total of 18,219,990 tons for the entire year 1936, Turkish shipping included.

TABLE III
Commercial Shipping in the Marmara Region (1939-1945) ¹

N—Number of ships

T—Net Tonnage

Country		1939	1940	1941	1942	1943	1944	1945
Turkey	N	34 397	33 567	29 407	30 460	25 363	25 646	32 793
	T	4 273 136	4 369 125	4 645 182	4 671 998	4 095 023	4 766 453	5 616 509
France	N	41	59				2	
	T	121 075	102 553				26	
Great Britain	N	360	245	52				98
	T	775 952	542 818	69 887				565 208
Italy	N	506	377	11		6		
	T	715 941	268 263	23 598		11 652		
Greece	N	684	664	294	8	1	11	125
	T	227 811	247 481	25 038	438	54	136	13 464
Germany	N	188	32	21	11	14	15	
	T	330 638	29 637	20 994	4 423	15 373	6 458	
Belgium	N	2						
	T	2 664						
United States	N	91	52					191
	T	471 119	168 143					841 766
Soviet Union	N	74	60	24	3		1	
	T	157 318	128 025	53 813	8 061		45	
Rumania	N	201	162	58		4	2	5
	T	528 452	498 465	120 476		13 288	7 836	19 093
Netherlands	N	90	26					3
	T	103 184	29 035					10 839
Norway	N	45	3					14
	T	77 126	10 270					73 393
Denmark	N	14	2					
	T	20 486	2 282					
Bulgaria	N	95	54	24	9	14	34	34
	T	126 919	47 865	14 673	402	9 106	1 206	1 206
Hungary	N	32	32	11		4		
	T	13 824	12 871	4 413		1 232		
Egypt	N	15	7					
	T	22 822	13 249					
Poland	N	8						
	T	8 928						
Spain	N		6		23			
	T		7 194		38 107			2 200
Finland	N	6						
	T	6 386						
Japan	N	5	3					
	T	19 443	9 678					
Sweden	N	86	10				3	14
	T	96 864	13 743				2 513	21 613
Yugoslavia	N	28	18	2				1
	T	49 914	24 480	4 528				1 558
Others	N	54	53	31		1		2
	T	29 529	29 126	9 947		91		7 494
Total foreign shipping.	N	2 625	1 865	528	54	44	68	487
	T	3 906 395	2 185 178	347 367	51 431	50 796	18 220	1 557 834
General total. . .	N	37 022	35 432	29 935	30 514	25 407	25 714	33 280
	T	8 179 531	6 554 303	4 992 549	4 723 429	4 145 819	4 784 673	7 174 343

¹ Republique turque. Présidence de Conseil. Office central de statistique, *Annuaire Statistique* (1942-1945), vol. 15, p. 518.

TABLE IV
Commercial Shipping in the Straits, 1946¹

Country	Operating at Istanbul	Ships in transit	Total	Tonnage (Reg. net)
United States . . .	109	72	181	797.126
Soviet Union . . .	57	120	177	495.843
Great Britain . . .	42	11	53	151.307
Greece	67	12	79	142.950
Rumania	17	7	24	94.293
Yugoslavia	14	22	36	81.360
Norway	28	1	29	72.399
Sweden	45	1	46	57.072
Netherlands . . .	12	7	19	21.789
France	1	8	9	20.613
Italy	25	10	35	19.538
Denmark	4	3	7	15.563
Canada	1	3	4	12.219
Lebanon	7	...	7	11.273
Union of South Africa	4	...	4	10.832
Belgium	8	...	8	9.235
Panama	4	2	6	9.196
Bulgaria	12	...	12	8.821
Honduras	1	...	1	4.381
Poland	1	...	1	4.278
Palestine	1	...	1	3.425
Spain	1	...	1	1.037
Egypt	5	...	5	570
Hungary	1	...	1	518
Total . . .	467	279	746	2.045.638

¹ République turque. Ministère des Affaires Étrangères. *Rapport Annuel sur le Mouvement des Navires à travers les Détroits*. Dixième Année—Janvier 1947. Ankara. Disisleri Bakanligi Basimevi. 1947. p. 9.

TABLE V
Commercial Shipping in the Straits, 1947¹

Country	Operating at Istanbul	Ships in transit	Total	Tonnage (Reg. net)
United States . . .	118	62	180	787.49
Soviet Union . . .	111	106	217	739.70
Great Britain . . .	75	17	92	228.17
Greece	52	30	82	142.54
Italy	128	8	136	127.75
Norway	39	16	55	125.25
Panama	31	15	46	109.99
Sweden	74	12	86	102.46
Rumania	15	14	29	94.07
Yugoslavia	22	15	37	77.70
Netherlands	17	11	28	46.73
Denmark	13	3	16	28.88
Lebanon	9	8	17	27.44
Canada	4	1	5	18.92
Bulgaria	44	33	77	17.43
Spain	6	...	6	13.08
Hungary	12	7	19	12.43
Belgium	11	1	12	11.90
Argentina	1	1	2	10.11
Honduras	3	...	3	6.92
Java	1	...	1	4.23
Egypt	8	3	11	4.30
Poland	2	1	3	3.81
Syria	1	...	1	368
Saudi Arabia . . .	1	...	1	240
Total . . .	798	364	1,162	2,741.997

¹ République turque. Ministère des Affaires Étrangères. *Rapport Annuel sur le Mouvement des Navires à travers les Détroits*. Onzième Année—Janvier 1948. p. 9.

Footnotes

¹ *Nazi-Soviet Relations, 1939-1941. Documents From the Archives of the German Foreign Office* (Department of State publication 3023), here cited as *Nazi-Soviet Relations, 1939-1941*. The Soviet publication, consisting of 36 documents from the German archives and published in 1946, is: Arkhivnoe Upravlenie Ministerstva Inostrannikh Del Soiuza SSR. Dokumenty Ministerstva Inostrannikh Del Germanii. Vipusk II. *Germanskaia Politika v. Turtsii* (1941-1943). OGIZ-Gospolitizdat, 1946. A French translation is: *La Politique Allemande, 1941-1943 v. Turquie. Documents Secrets du Ministère des Affaires Étrangères d'Allemagne*. Traduit du russe par Madeleine et Michel Eristov (Paris, Dupont, 1946). Here cited as *Germanskaia Politika v. Turtsii*. The Nürnberg documents are: Office of the U.S. Chief of Counsel for Prosecution of Axis Criminality, *Nazi Conspiracy and Aggression*, 8 vols.

² *Parliamentary Debates, House of Commons*, vol. 346, col. 13; Ministère des Affaires Étrangères, *Documents*

Diplomatiques, 1938-1939 (Paris, Imprimerie Nationale, 1939), p. 109; Royal Greek Ministry for Foreign Affairs, *The Greek White Book: Diplomatic Documents Relating to Italy's Aggression Against Greece* (London, Hutchinson, 1942), pp. 30-32; German Library of Information, *Documents on the Events Preceding the Outbreak of the War* (New York, 1940; Berlin, 1939), pp. 309-340.

³ *Affaires Danubiennes*, no. 4, 1939, pp. 209-210; *Parliamentary Debates, House of Commons*, vol. 347, col. 955; German Library of Information, *op. cit.*, p. 321.

⁴ In a comment of May 30, 1939, on the German-Italian alliance, Mussolini indicated the necessity of taking over the entire Balkan and Danubian area immediately after the first hours of war, noting: "By this lightning-like operation which is to be carried out decisively, not only the 'guaranteed states', like Greece, Rumania, and Turkey, would be out of the fight, but one would also protect one's back . . ." *Nazi Conspiracy and Aggression*, vol. V, pp. 453-455.

Footnotes—Continued

¹ German Library of Information, *op. cit.*, p. 343. On Apr. 21, 1939, Turkey gave a contract to a British company for building a naval base at Gelcek.

² *Nazi Conspiracy and Aggression*, vol. IV, pp. 508-517; ol. VIII, pp. 519-520.

³ *Ibid.*, vol. III, pp. 580-581.

⁴ *Ibid.*, vol. VII, pp. 752-754.

⁵ For background, see especially *Nazi-Soviet Relations, 1939-1941*, pp. 1-50, text, pp. 76-78.

⁶ *Ibid.*, pp. 157-158.

⁷ *Ibid.*, pp. 73-74.

⁸ *Ibid.*, pp. 80-83.

⁹ Saracöglu had been in touch with Gafenco, the Rumanian Foreign Minister, as a member of the Balkan Entente, and was asked to find out the Soviet attitude toward Balkan solidarity. Molotov was quite "cold" on this subject. Although there had been a preliminary Turkish-Soviet agreement concerning the Straits and a political agreement, Molotov turned down all Turkish suggestions which would have permitted Ankara to play any role on the side of the western powers or, in union with its Balkan neighbors, a preponderant role in the maintenance of peace and order in the region. See Grejoire Gafenco, *Préliminaires de la Guerre à l'Est, 1939-1941*, pp. 303-310.

¹⁰ *Nazi-Soviet Relations, 1939-1941*, pp. 105-106.

¹¹ *Ibid.*, pp. 85-86.

¹² *Ibid.*, pp. 87-88.

¹³ *Ibid.*, p. 97.

¹⁴ *Ibid.*, p. 110.

¹⁵ *Ibid.*, p. 111.

¹⁶ *Ibid.*, p. 113.

¹⁷ *Ibid.*, pp. 117-118.

¹⁸ Great Britain. Treaty of Mutual Assistance between His Majesty in respect of the United Kingdom, the President of the French Republic, and the President of the Turkish Republic. Angora, Oct. 19, 1939. Cmd. 6135, Turkey No. 4 (1940).

¹⁹ V. M. Molotov, *Foreign Policy of the Soviet Union*. Report by the Chairman of the Council of People's Commissars of the U.S.S.R. and People's Commissar of Foreign Affairs at the Extraordinary Fifth Session of the Supreme Soviet of the U.S.S.R., Oct. 31, 1939. See especially pp. 4-15.

²⁰ *Nazi-Soviet Relations, 1939-1941*, pp. 144-194.

²¹ *Ibid.*, pp. 160-161.

²² *Ibid.*, pp. 207-213.

²³ *Ibid.*, pp. 216-217.

²⁴ *Ibid.*, pp. 217-225.

²⁵ *Ibid.*, pp. 226-234.

²⁶ *Ibid.*, pp. 234-247.

²⁷ *Ibid.*, pp. 247-254.

²⁸ *Ibid.*, pp. 257-258.

²⁹ *Nazi Conspiracy and Aggression*, vol. III, pp. 403-407.

³⁰ *Ibid.*, vol. VI, pp. 977-1002. There is no verification of this item in the German accounts of the Molotov conversations in Berlin.

³¹ *Nazi-Soviet Relations, 1939-1941*, pp. 258-259. In studying this proposal, which Molotov considered definitive and referred to a number of times later, it is well to bear in mind Imperial Russia's historic position as to the Straits as registered in the treaties of 1798, 1805, and 1833 and the Charykov proposal of 1911-12, as well as the Soviet-Turkish treaties of 1921 and 1922 and the Soviet support of claims to the Kars-Ardahan region in 1946. This claim was supported by the Soviet Representative, Mr. Vyshinsky, in the Political and Security Committee of the General Assembly of the United Nations on Oct. 24, 1947. For convenient reference to the treaties cited above see Harry N. Howard, *The Problem of the Turkish Straits* (Department of State publication 2752, Near Eastern Series 5), pp. 14-29.

³² This proposal should be compared with the Soviet notes concerning the Straits on Aug. 7 and Sept. 24, 1946, and the American, British, and Turkish replies during this period. It will be noted that the proposals are substantially identical. For convenience see *The Problem of the Turkish Straits*, pp. 47-68.

³³ It is probable that the Soviet position with respect to Iran, 1945, and later, should be considered in the light of the November 1940 position of the Soviet Union as well as in the light of the long historic past.

³⁴ *Nazi-Soviet Relations, 1939-1941*, pp. 264-269.

³⁵ *Ibid.*, pp. 278-279.

³⁶ *Ibid.*, pp. 281-316.

³⁷ *Nazi Conspiracy and Aggression*, vol. IV, pp. 278-279, 475-477; vol. VI, pp. 938-939; vol. VIII, pp. 70-72.

³⁸ *Nazi-Soviet Relations, 1939-1941*, pp. 316-320, 323-324, 326-327.

³⁹ *Ibid.*, pp. 333-334; *Nazi Conspiracy and Aggression*, vol. III, pp. 633-634.

⁴⁰ The Yugoslav and Greek problems were discussed at Vienna on Apr. 22, 1941. Bulgaria claimed not only Yugoslav Macedonia and Western Thrace but also Salonika. Von Papen claims to have prevented Bulgarian occupation of Salonika, because, among other things, it would have made relations with Turkey difficult.

⁴¹ *Nazi Conspiracy and Aggression*, vol. IV, pp. 499-508, for minutes of conference.

⁴² This account is based on the Soviet publication of German documents, *Germanskaia Politika v. Turtsii, 1941-1943*, published in August 1946 while the Soviet Union was making demands on the Straits.

⁴³ *Ibid.*, no. 7. See also *ibid.*, nos. 1-6, for background. At one point Germany was willing to promise Turkey territorial rectifications in the region of Edirne, along the Greek-Turkish Thracian frontier, and in the Aegean Islands.

⁴⁴ *Nazi-Soviet Relations, 1939-1941*, pp. 347-349, 355-357, and *Nazi Conspiracy and Aggression*, vol. VI, pp. 977-1002.

⁴⁵ Doc. no. 456-PS, Office of U.S. Chief of Counsel for the Prosecution of Axis Criminality.

⁴⁶ *Germanskaia Politika v. Turtsii*, nos. 10-15, and Anthony Eden's statement in the House of Commons on

Jan. 8, 1942, following his return from Moscow (*Parliamentary Debates*, House of Commons, vol. 377, col. 373).

⁵¹ *Germanskaia Politika v. Turtsii*, nos. 12 and 17,

⁵² *Ibid.* no. 16.

⁵³ For text of conversation, see BULLETIN of July 14, 1946, pp. 57-63.

⁵⁴ *Germanskaia Politika v. Turtsii*, nos. 22-36.

⁵⁵ See Mr. Churchill's address to the House of Commons on Feb. 11, 1943, *Parliamentary Debates, Official Report, House of Commons*, vol. 386, cols. 1467-1488.

⁵⁶ Department of State press release 240, Mar. 24, 1947.

⁵⁷ BULLETIN of Dec. 11, 1943, p. 412.

⁵⁸ *Parliamentary Debates, House of Commons*, vol. 400, cols. 762-786. See also Mr. Eden's address to the House of Commons, Dec. 14, 1943.

During this period the German military estimates of the Turkish position indicated that while Turkey had re-

mained neutral, the closer Soviet armies came to the Balkans, the more difficult Turkey's position would be. Turkey's position was dominated by the Straits question; she had expansionist claims. Nevertheless, if Turkey changed its position, enemy operations against the Bulgarian-Rumanian Black Sea coast would have to be taken into account (*Nazi Conspiracy and Aggression*, vol. VII, pp. 949-952, 954-955).

⁵⁹ *Parliamentary Debates, Official Report, House of Commons*, vol. 400, cols. 1986-1988. The vessels in question included K.T. ships of about 800 tons, carrying two 3.7 inch guns and machine guns, an E.M.S. craft of about 40 or 50 tons, with a normal armament of one three pounder machine guns, and depth charges. See also the Soviet note of Aug. 7, 1946, and the Turkish reply of Aug. 22, 1946, in *The Problem of the Turkish Straits*, pp. 47-55 and the discussion, pp. 36-45.

⁶⁰ BULLETIN of Mar. 4, 1945, p. 373.

Current United Nations Documents: A Selected Bibliography ¹

Economic and Social Council

Report of the Secretary-General on the Activities of the Specialised Agencies, Inter-Governmental Organisations, Non-Governmental Organisations and United Nations Organs in the Fields of Housing and Town and Country Planning. E/802, June 4, 1948. 23 pp. mimeo.

Report of the International Telecommunication Union. E/812, June 10, 1948. 12 pp. mimeo.

Second Report of the International Labour Organisation of the United Nations. E/810, June 9, 1948. [Covering document states Secretary-General has received report; attached is ILO printed report. 138 pp.]

Report on the Progress and Prospect of Repatriation, Resettlement and Immigration of Refugees and Displaced Persons. E/816, June 10, 1948. 67 pp. mimeo.

Translation of the Classics. Report of the United Nations Educational, Scientific and Cultural Organization. E/823, June 16, 1948. 16 pp. mimeo.

Communication Dated 3 June 1948 from the Preparatory Commission for the International Refugee Organization to the Secretary-General Proposing Action for the Co-ordination of Procedures for Declarations of Death and Enclosing a Survey of the Problem. E/824, June 15, 1948. 17 pp. mimeo.

¹ Printed materials may be secured in the United States from the International Documents Service, Columbia University Press, 2960 Broadway, New York City. Other materials (mimeographed or processed documents) may be consulted at certain designated libraries in the United States.

Official Records—Third Year:

Sixth Session. Supplement No. 3. Report of the Statistical Commission. E/577. 20 pp. Printed. 20¢.

—Supplement No. 3A, Report of the Sub-Commission on Statistical Sampling. E/CN.3/37. 18 pp. printed. 20¢.

Seventh Session. Supplement No. 3. Report of the Transport and Communications Commission. E/789. 30 pp. printed. 30¢.

United Nations International Children's Emergency Fund. Report of the Executive Board on the Nineteenth through Twenty-fifth Meetings Held at Lake Success 9-12 March 1948. E/ICEF/56, Mar. 25, 1948. 43 pp. mimeo.

—Programme Committee. Note by the Executive Director on Utilization of New Resources. E/ICEF/57. Apr. 15, 1948. 8 pp. mimeo.

Report of the International Health Conference Held in New York from 19 June to 22 July 1946. E/772, Mar. 11, 1947. iv, 71 pp. Printed. 75¢.

Commission on Narcotic Drugs. Summary of Annual Reports of Governments for 1945. E/NR 1945/Summary. iv, 54 pp. Printed. 50¢.

Official Records, Second Year: Fourth Session. Supplement No. 7. Report of the Social Commission. 4 pp. Printed. 40¢.

—Supplement No. 9. First Report of the Secretary General on activities under the Resolution on Relief Needs after the termination of UNRRA. E/269, Feb. 21, 1947. 29 pp. Printed. 30¢.

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Department of State Bulletin

THE UNITED NATIONS AND SPECIALIZED AGENCIES

Reaffirming the Policy of the United States in the United Nations

TEXT OF SENATE RESOLUTION 239 OF JUNE 11¹

Whereas peace with justice and the defense of human rights and fundamental freedoms require international cooperation through more effective use of the United Nations: Therefore be it

Resolved, That the Senate reaffirm the policy of the United States to achieve international peace and security through the United Nations so that armed force shall not be used except in the common interest, and that the President be advised of the sense of the Senate that this Government, by constitutional process, should particularly pursue the following objectives within the United Nations Charter:

(1) Voluntary agreement to remove the veto from all questions involving pacific settlements of international disputes and situations, and from the admission of new members.

(2) Progressive development of regional and other collective arrangements for individual and collective self-defense in accordance with the purposes, principles, and provisions of the Charter.

(3) Association of the United States, by constitutional process, with such regional and other collective arrangements as are based on continuous and effective self-help and mutual aid, and as affect its national security.

(4) Contributing to the maintenance of peace by making clear its determination to exercise the right of individual or collective self-defense under article 51 should any armed attack occur affecting its national security.

(5) Maximum efforts to obtain agreements to provide the United Nations with armed forces as provided by the Charter, and to obtain agreement among member nations upon universal regulation and reduction of armaments under adequate and dependable guaranty against violation.

(6) If necessary, after adequate effort toward strengthening the United Nations, review of the Charter at an appropriate time by a General Conference called under article 109 or by the General Assembly.

CONCLUSIONS

The committee on May 19, 1948, by a vote of 13 to 0, approved the resolution. It recommends its prompt adoption. The major reasons for the action of the committee are summarized below:

1. A constructive program for the strengthening of the United Nations is essential for world peace. To this end, a clear expression of the Senate's views on the objectives which the United States should pursue will support the efforts of the executive branch in the United Nations and will make clear to world opinion the unity of this Government in regard to this program.

2. The United States cannot ignore the security aspect of world recovery. European recovery involves not only the economic elements covered by recently enacted legislation, but also international security considerations. These considerations have fundamental bearing alike upon successful economic recovery and upon world peace.

3. World peace—the paramount objective of the United States—can and should be bulwarked by the development of regional and other collective

arrangements among free nations for their self-defense consistent with the Charter. Association of the United States, by constitutional process, with such arrangements as affect our national security and as are founded upon the practical principle of continuous and effective self-help and mutual aid will promote the security of all members of such arrangements, including our own.

4. The time is opportune for the United States to contribute to the maintenance of peace by making clear now its determination to defend itself against any armed attack affecting its national security, by exercise of the right of individual and collective self-defense recognized in the Charter. Certainty in advance concerning this intention on the part of the United States should constitute a vital factor in deterring aggression.

5. Maximum efforts to complete the enforcement machinery of the United Nations and to

¹ Reported in the Senate on May 19, 1948, by Arthur H. Vandenberg, Chairman of the Committee on Foreign Relations (S. Rept. 1361, 80th Cong., 2d sess.).

achieve universal regulation and reduction of armaments, with effective safeguards, is obligatory upon every faithful member of the United Nations. The United States should continue to make vigorous efforts to this end.

The United Nations is the forum of negotiation of 58 nations. It is available daily to assist its members to resolve difficult issues between them. It will grow stronger only as members strive to improve it, to use its resources, to conduct their policies in accord with their obligations under its Charter. It is the considered judgment of the committee that world peace with justice and the defense of human rights and fundamental freedoms will be advanced through the United Nations strengthened by the practical steps set forth in this resolution.

U.S., U.K., FRANCE, CANADA, AND BENELUX COUNTRIES DISCUSS S. RES. 239

[Released to the press July 6]

The Under Secretary of State on July 6 received the Ambassadors of the United Kingdom, France, Canada, and the Benelux countries for an informal and exploratory exchange of views concerning problems of common interest in relation to the Senate resolution of June 11, 1948. These conversations are expected to continue for some time. Since they are purely exploratory, no information concerning the substance of the conversations will be made public until such time as decisions may be reached.

Signing of Resolution Providing for U.S. Membership in WHO

STATEMENT BY THE PRESIDENT

President Truman issued the following statement on June 14, 1948, upon the occasion of his signing the joint resolution providing for United States membership in the World Health Organization and the instrument of acceptance of the constitution of the World Health Organization, the latter necessary for deposit with the United Nations.

"I have today signed a Joint Resolution providing for the U.S. membership and participation in the World Health Organization. I have at the same time signed the Instrument of Acceptance of the Constitution of the World Health Organization, which will immediately be sent to the United Nations for deposit.

"In view of the long history of effective international cooperation in the field of health which spares us the haunting fear of devastating epidemics of cholera and plague, we can look to the World Health Organization with hope and expectation. While performing its humane service, it will at the same time contribute to general economic improvement through the progressive development of healthy, alert, productive manpower. The world economy is seriously burdened, and unnecessarily so, by malaria, tuberculosis and other controllable diseases.

"The World Health Organization can help con-

tribute substantially to the attainment of the healthy, vigorous citizenry which the world needs so badly today and tomorrow.

"I am proud to have signed this Joint Resolution which makes it possible for the United States to continue its leadership in this important work. In the technical field of health we hold today a pre-eminent position. We must and will give freely of our great knowledge to help liberate men everywhere from the overhanging dread of preventable disease. In doing so through the World Health Organization we once again testify to our faith in the United Nations as the great instrument for reaching those goals of common understanding and mutual helpfulness among nations which alone can lead to peace and security for all peoples."

In view of some of the provisions included in the U.S. Congress in the joint resolution, the United Nations deferred acceptance of the deposit of the U.S. instrument of acceptance pending definitive action on the part of the World Health Assembly, which is currently in session in Geneva. On July 2, 1948, the Assembly unanimously approved United States membership in the World Health Organization. With this action, membership in the WHO has reached 50.

The United States in the United Nations

Reports on Trust Territories

Examination of Australia's annual report on its administration of the Trust Territory of New Guinea began in the Trusteeship Council at Lake Success on July 14. J. R. Halligan, Secretary of the Australian Department of External Territories, came from Canberra to answer the Council's questions about the written report and to provide any additional information required.

The Council had previously examined the Belgian report on Ruanda-Urundi, a trust territory located east of the Belgian Congo, in central Africa, and the British report on Tanganyika, an east-African territory which is the largest and most populous of the 10 former League mandates placed under U. N. trusteeship. Drafting committees are now formulating the observations of the Council on these two reports.

Territories on which reports will be considered at later sessions are Togoland and the Cameroons, under British and French administration, Nauru, under Australian administration, and Western Samoa, under New Zealand. The question whether the Trusteeship Council or the Security Council will examine any report submitted by the United States on the Pacific Islands formerly mandated to Japan depends largely on the still unsettled issue of the two councils' relations regarding strategic trusteeships.¹

Reports of administering authorities are written on the basis of a questionnaire formulated by the Trusteeship Council. They cover almost every phase of political, economic, social, and educational advancement in the territories and indicate the extent to which the administering authority is carrying out the objectives of the trusteeship system laid down in article 76 of the Charter.

The Council has closely questioned the representatives of the administering authorities. Ambassador Francis B. Sayre of the United States, as in the case of all three territories expressed special interest in educational programs for the indigenous peoples. In the cases of both Ruanda-Urundi and Tanganyika he urged acceleration of efforts to establish universal elementary education for indigenous children and pointed out the necessity for increased teacher training. Regarding Ruanda-Urundi, Mr. Sayre said he thought it desirable for the Belgian administration to establish public schools to complement the present mission schools and to insure adequate instructional standards for all schools in the territory.

Discussion of the New Guinea report began with consideration of a plan now pending in the Australian Parliament for consolidating the administration of the trust territory with that of the adjoining Australian territory of Papua. Mr. Sayre, conceding that the trusteeship agreement authorized such an arrangement, expressed once more the concern of the United States that administrative unions should not have the practical effect of impeding the operation of the international trusteeship system, should not alter the status or separate identity of a trust territory, and should not prevent submission to the Council of information, statistical or otherwise, bearing expressly on the trust territory.²

The 1948 visiting mission of the Trusteeship Council, composed of E. W. P. Chinnery, of Australia, Lin Mou-sheng, of China, Robert E. Woodbridge, of Costa Rica, and Henri Laurentia, of France, left Lake Success July 15 for East Africa. The mission will travel in Ruanda-Urundi and Tanganyika until mid-September and will report to the Council by October 31.

Palestine

Count Folke Bernadotte, the U.N. mediator in Palestine, appeared before the Security Council July 13 to make a personal report on the four-week truce which expired July 9 and on the failure of his efforts to have it extended.

The same day Philip C. Jessup of the United States introduced a draft resolution which was adopted by the Council late on July 15 with some amendments and with a few changes proposed by the United States to meet some of the criticisms made during three days of debate.

In final form the resolution called for a cease-fire in Palestine under article 40, to be effective within three days; declared that noncompliance would lead to consideration of further action under chapter VII; ordered an immediate cease-fire in Jerusalem; instructed the mediator to work for the demilitarization of Jerusalem and to continue his supervision of truce observance; and ruled that, "subject to further decision by the Security Council or the General Assembly", the truce shall remain in force until the Palestine situation is peacefully adjusted.

In introducing the U.S. draft resolution, Mr. Jessup said the mediator's report made it clear

¹ BULLETIN of July 4, 1948, p. 15, and June 27, 1948, p. 830.

² BULLETIN of July 4, 1948, p. 15.

that the Security Council must face its responsibility and order the fighting to stop. By deciding that the truce should stay in force until a peaceful settlement was effected, Mr. Jessup said, the Council would make it clear "that it insists that the Palestine problem is not to be solved by force."

The Council voted separately on each of the resolution's 12 paragraphs. The paragraph ordering an immediate cease-fire in Jerusalem was adopted unanimously. Composition of the majorities which passed other paragraphs varied considerably. The fact that the U.S.S.R. and the Ukraine voted for several paragraphs on which China and Argentina abstained, and vice versa, assured passage of a number of paragraphs whose fate had been in doubt. On final passage of the resolution as a whole, the vote was seven in favor (Canada, China, Colombia, Belgium, France, U.K., U.S.), Syria against, and three abstentions (Argentina, Ukraine, and the U.S.S.R.).

Charter Revision

The Interim Committee adopted on July 9 a proposal by José Arce of Argentina that it ask the General Assembly to consider calling a general conference of U.N. members to review the Charter. The vote was 19-7 with 10 abstentions, including that of China. The United States, United Kingdom, and France voted no, Joseph E. Johnson, of the United States, arguing that a general conference at this time would be ineffective.

Economic and Social Council

The Economic and Social Council will open its seventh session at Geneva on July 19 with a record agenda of 50 items. In the social field, the Council will consider the completed draft of the Declaration of Human Rights, a draft convention on the crime of genocide, and a survey of forced labor and measures for its abolition. Among the economic items for the Council's consideration are reports from the various regional economic commissions, including the report of the *ad hoc* committee on the factors bearing upon the establishment of an Economic Commission for the Middle East and the principle of equal pay for equal work. The U. S. Delegation will be headed by Willard L. Thorp, Assistant Secretary of State for economic affairs, with Leroy D. Stinebower, Special Assistant to the Assistant Secretary, and Walter M. Kotschnig, Chief of the Division of United Nations Economic and Social Affairs, serving as Deputy U. S. Representatives.

Health Assembly

The first World Health Assembly, which opened in Geneva on June 24, approved the recommendations of its Program Committee to set up international programs for malaria, maternal and child health, tuberculosis, and venereal disease. The

Program Committee has also recommended continuation and expansion of the network of epidemic-control services. The Assembly also approved a committee recommendation providing for the establishment of five World Health Organization regional offices in the eastern Mediterranean, western Pacific, southeast Asia, Europe, and Africa, when the consent of members in the area is obtained. A Latin American regional office was not included because of current negotiations designed to integrate the Pan American Sanitary Bureau with WHO. The United States was elected a member of the WHO Executive Board by the Assembly on July 13.

Labor Conference

The International Labor Organization concluded its Thirty-first Conference in San Francisco on July 10, approving two new conventions and revising two earlier ones. Of the two new conventions, one would guarantee freedom of association to workers and employers and the other requires governments to maintain free public employment services. These conventions will be submitted to member states of the ILO for ratification.

Revisions were made of two earlier international conventions concerning night work for women and for young persons, providing for more liberal interpretations of these treaties. The Conference also agreed to discuss labor clauses in public contracts, protection of worker's earnings and the general question of wages, at its 1949 conference, as well as other labor items. The Conference gave final approval to a resolution requesting the ILO's Governing Body to consult with the competent U.N. organs to examine the measures necessary to insure the safeguarding of freedom of association. The Conference voted to hold its 1949 session in Geneva.

India-Pakistan Dispute

The U.N. Commission on India and Pakistan arrived in Karachi on July 7 and paid an informal visit on the following day to the Pakistani Prime Minister and Foreign Minister. The Commission held its first formal meeting in New Delhi on July 13, after having called on the Indian Prime Minister and Governor-General.

U. S. Representation

President Truman, by recess appointment, named H. Merle Cochran, U.S. Foreign Service officer with the rank of career minister, to succeed Coert duBois as the U.S. Representative on the Security Council's Committee of Good Offices in Indonesia. Mr. duBois asked to be relieved of his duties because of illness. Mr. Cochran has been a Foreign Service officer since 1914, except for one brief interruption.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

Report on Sixth Meeting of Preparatory Commission for IRO

by George L. Warren

The Preparatory Commission for the International Refugee Organization met for the sixth time at Geneva on May 4, 1948.¹ The purpose of the meeting was to consider the status of adherences to the Iro constitution, to examine financial reports, to receive the report of the Executive Secretary, and to take such action thereon as might be indicated. The Commission had assumed operating responsibilities on behalf of Iro on July 1, 1947, for the care, repatriation, and resettlement of refugees.

The Commission was advised that since the last meeting the Governments of Argentina, Belgium and France had deposited certificates of ratification to the Iro constitution with the Secretary-General of the United Nations, thus bringing the number of adherences to Iro to 14. The adherence of one additional government is required in order to bring the Iro into being. The total percentage of governments' contributions is now 76.74 percent. The Brazilian Delegate announced that a working agreement had been satisfactorily concluded between his government and the Preparatory Commission and that ratification legislation had been presented to the Brazilian Congress. He expressed the hope that Brazil might complete its adherence before the next meeting of the Commission. The Commission was also advised that the Governments of Denmark, Sweden, and Venezuela are giving serious consideration to adherence.

At the opening of the meeting the Executive Secretary appealed to the governments to act more generously in receiving displaced persons, stating that he regarded the current rate of movement in resettlement as inadequate to resolve the problem of displaced persons within the anticipated time of three years.

During the meeting the Commission was addressed by Hector McNeil, M.P., Minister of State of the United Kingdom, and by Pierre Schneider, French Secretary of State for German and Austrian Affairs. Mr. McNeil promised the continuing support of his government in the efforts of the Commission, and Mr. Schneider proposed the expedient transfer to other countries of assembly centers in which displaced persons are housed in accordance with a plan of fair distribution. He suggested that the Preparatory Commission could continue its efforts at resettlement in the countries to which the centers might be transferred and argued that the proposed transfer of the centers could contribute substantially to the peace and order of central Europe.

The Commission noted the fact that the impossibility of conclusively establishing the decease of large numbers of war victims was proving an obstacle to the accomplishment of many legal actions which relatives of these persons require to execute. Hence the Commission referred to the Economic and Social Council the question of the wisdom of drafting an international convention as a measure of relief for the persons concerned.

The Commission also approved a draft agreement of relationship between the United Nations and the Iro based on the standard text for such agreements, and appointed a negotiating committee consisting of the delegates from Brazil, Canada, China, and Norway to conduct negotiations with a similar committee of the Economic and Social Council during its seventh session in Geneva in the summer of 1948.

The Commission also considered the financial report and statements for the six months' period ending December 31, 1947, which showed total income as of that date to be \$43,913,680; expenditures, \$33,441,922; and cash on hand, \$10,471,758. The balance sheet showed assets of \$21,607,210, liabilities of \$20,869,630, and an excess of funds received over funds applied of \$737,580. The Commission took note of the financial report and statements and was advised by the Executive Secretary that every effort would be made to present to the next meeting of the Commission an audited financial report for the period ending June 30, 1948. The Commission, recognizing that it would not reconvene before June 30, 1948, and that it was not feasible for the Executive Secretary to present at the current meeting a plan of expenditures based on anticipated income for the fiscal year 1948-49, authorized the Executive Secretary to make administrative and operational expenditures in the period from July 1 to September 30, 1948, at a rate equal to one fourth of the respective expenditures in the administrative and operational budgets for the present fiscal year. The Commission also authorized the Executive Secretary to include for expenditure during the above period amounts he deemed prudent from any funds that might be carried forward from the fiscal year 1947-48 in accordance with paragraph 1 of annex II to the constitution.

¹ For the report of the fifth meeting of the Preparatory Commission for Iro, see BULLETIN of Apr. 4, 1948, p. 451.

ACTIVITIES AND DEVELOPMENTS

The Commission considered the recommendations made by the Executive Secretary in his report on the repatriation and resettlement policy of the Organization to the effect that the realization of a "fair share" plan should continue to be pursued. The Commission urged upon receiving countries the most generous methods of selection, the maximum feasible relaxation of immigration requirements, recognition of the family unit in selection, and the adoption of measures of selection minimizing the return of refugees and displaced persons from receiving countries. The Commission noted that the two main factors retarding the rate of resettlement were inadequacy of ocean shipping and lack of housing facilities, particularly in western European receiving countries.

The Commission considered the Executive Secretary's report on progress made during the period January to April 1948 with respect to financial administration, agreements with governments, eligibility, health, care and maintenance, supply and transport, repatriation, resettlement, legal and other protection, and administration. Particular attention was given to the needs of the Organization with respect to shipping and all government members were requested to re-examine the possibilities of making more ships available to the Commission.

The Commission recessed on May 12, 1948, to reconvene on or about August 20, 1948, for the purpose of convening the General Council of the Iro on or about August 23, 1948. It was assumed that the constitution of the Organization would come into force before that date. On invitation of the Executive Secretary the United States Delegate addressed the headquarters staff of the Preparatory Commission May 15, 1948, after the Commission had adjourned.

U.S. DELEGATION TO NORTH PACIFIC REGIONAL AIR NAVIGATION MEETING OF ICAO

[Released to the press July 7]

The Department of State announced on July 7 the composition of the United States Delegation to the North Pacific Regional Air Navigation Meeting of the International Civil Aviation Organization (ICAO), scheduled to convene at Seattle on July 13, 1948. The United States Delegation is as follows:

Chairman

Clifford P. Burton, Chief of Technical Mission, Civil Aeronautics Administration, Department of Commerce

Members

Luther R. Hayes, Adviser, International Telecommunications Standards, Civil Aeronautics Administration, Department of Commerce

Donald C. House, Assistant Chief, International Aviation Section, United States Weather Bureau, Department of Commerce

Lt. Comdr. J. D. McCubbin, U. S. C. G., Search and Rescue Agency, Department of the Treasury

Raymond F. Nicholson, Representative, Flight Operations Civil Aeronautics Administration, Department of Commerce

Francis J. Rhody, Special Adviser to the Assistant Administrator for Airports, Civil Aeronautics Administration, Department of Commerce

Walter B. Swanson, Adviser, International Air Traffic Control Standards, Civil Aeronautics Administration, Department of Commerce

Advisers

James S. Anderson, Vice President-International, Aeronautical Radio, Inc., Washington, D.C.

Oscar Bakke, Technical Assistant, International Standards Division, Civil Aeronautics Board

Capt. F. A. Berry, Jr., U.S.N., Officer in Charge, U.S. Navy Weather Central, Department of the Navy

James D. Durkee, Chief, International Branch, Aviation Division, Federal Communications Commission

Lt. Comdr. Benjamin F. Engel, U.S.C.G., Communications Division, Department of the Treasury

Maj. Grove C. Johnson, U.S.A.F., Acting Assistant Chief, ICAO Liaison Section, Department of the Air Force

Victor J. Kayne, ICAO-Air Traffic Control Regional Representative, Civil Aeronautics Administration, Department of Commerce

Comdr. Donald E. MacIntosh, ICAO Coordinator, Department of the Navy

Lt. Col. Norman J. McGowan, Chief, Air Surveillance Branch, Directorate of Communications, Hq. U.S.A.F., Department of the Air Force

John R. Mercer, Chief, Landing Areas Section, Airways Engineering Division, Civil Aeronautics Administration, Department of Commerce

Donald W. Nyrop, Operations Division, Air Transport Association of America, Washington, D.C.

George L. Rand, Representative, International Telecommunications Standards, Civil Aeronautics Administration, Department of Commerce

R. D. Shall, Regional Foreign Staff Officer, Sixth Region, Civil Aeronautics Administration, Department of Commerce

Stenographers

E. Vernice Anderson, Personal Assistant to the Assistant Secretary, Office of the Assistant Secretary for Transportation and Communications, Department of State

Mary E. Bean, Administrative Assistant, ICAO Division, Civil Aeronautics Administration, Department of Commerce

The purpose of the meeting is to examine the problems of air navigation in the North Pacific region. The delegates will prepare a plan of navigational services and facilities needed in the region to assure compliance with the standards established and the practices recommended by the ICAO Council. The meeting is expected to last from two to three weeks.

Department of State Bulletin

THE RECORD OF THE WEEK

U.S. Protests Soviet Blockade of Berlin

NOTE FROM SECRETARY MARSHALL TO AMBASSADOR PANYUSHKIN

[Released to the press July 9]

July 6, 1948

EXCELLENCY: The United States Government wishes to call to the attention of the Soviet Government the extremely serious international situation which has been brought about by the actions of the Soviet Government in imposing restrictive measures on transport which amount now to a blockade against the sectors in Berlin occupied by the United States, United Kingdom and France. The United States Government regards these measures of blockade as a clear violation of existing agreements concerning the administration of Berlin by the four occupying powers.

The rights of the United States as a joint occupying power in Berlin derive from the total defeat and unconditional surrender of Germany. The international agreements undertaken in connection therewith by the Governments of the United States, United Kingdom, France and the Soviet Union defined the zones in Germany and the sectors in Berlin which are occupied by these powers. They established the quadripartite control of Berlin on a basis of friendly cooperation which the Government of the United States earnestly desires to continue to pursue.

These agreements implied the right of free access to Berlin. This right has long been confirmed by usage. It was directly specified in a message sent by President Truman to Premier Stalin on June 14, 1945, which agreed to the withdrawal of United States forces to the zonal boundaries, provided satisfactory arrangements could be entered into between the military commanders, which would give access by rail, road and air to United States forces in Berlin. Premier Stalin replied on June 16 suggesting a change in date but no other alteration in the plan proposed by the President. Premier Stalin then gave assurances that all necessary measures would be taken in accordance with the plan. Correspondence in a similar sense took place between Premier Stalin and Mr. Churchill. In accordance with this understanding, the United States, whose armies had penetrated deep into Saxony and Thuringia, parts of the Soviet zone, withdrew its forces to its own zone of occupation in Germany and took up its position in its own sector in Berlin. Thereupon the agreements in regard to the occupation of Germany and Berlin went into effect. The United

States would not have so withdrawn its troops from a large area now occupied by the Soviet Union had there been any doubt whatsoever about the observance of its agreed right of free access to its sector of Berlin. The right of the United States to its position in Berlin thus stems from precisely the same source as the right of the Soviet Union. It is impossible to assert the latter and deny the former.

It clearly results from these undertakings that Berlin is not a part of the Soviet zone, but is an international zone of occupation. Commitments entered into in good faith by the zone commanders, and subsequently confirmed by the Allied Control Authority, as well as practices sanctioned by usage, guarantee the United States together with other powers, free access to Berlin for the purpose of fulfilling its responsibilities as an occupying power. The facts are plain. Their meaning is clear. Any other interpretation would offend all the rules of comity and reason.

In order that there should be no misunderstanding whatsoever on this point, the United States Government categorically asserts that it is in occupation of its sector in Berlin with free access thereto as a matter of established right deriving from the defeat and surrender of Germany and confirmed by formal agreements among the principal Allies. It further declares that it will not be induced by threats, pressures or other actions to abandon these rights. It is hoped that the Soviet Government entertains no doubts whatsoever on this point.

This Government now shares with the Governments of France and the United Kingdom the responsibility initially undertaken at Soviet request on July 7, 1945, for the physical well-being of 2,400,000 persons in the western sectors of Berlin. Restrictions recently imposed by the Soviet authorities in Berlin have operated to prevent this Government and the Governments of the United Kingdom and of France from fulfilling that responsibility in an adequate manner.

The responsibility which this Government bears for the physical well-being and the safety of the German population in its sector of Berlin is outstandingly humanitarian in character. This population includes hundreds of thousands of women and children, whose health and safety are dependent on the continued use of adequate facilities for moving food, medical supplies and other

July 18, 1948

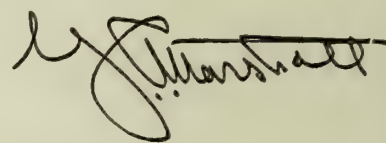
items indispensable to the maintenance of human life in the western sectors of Berlin. The most elemental of these human rights which both our Governments are solemnly pledged to protect are thus placed in jeopardy by these restrictions. It is intolerable that any one of the occupying authorities should attempt to impose a blockade upon the people of Berlin.

The United States Government is therefore obliged to insist that in accordance with existing agreements the arrangements for the movement of freight and passenger traffic between the western zones and Berlin be fully restored. There can be no question of delay in the restoration of these essential services, since the needs of the civilian population in the Berlin area are imperative.

Holding these urgent views regarding its rights and obligations in the United States sector of Berlin, yet eager always to resolve controversies in the spirit of fair consideration for the viewpoints of all concerned, the Government of the United States declares that duress should not be invoked as a method of attempting to dispose of any disagreements which may exist between the Soviet Government and the Government of the United States in respect of any aspect of the Berlin situation.

Such disagreements if any should be settled by negotiation or by any of the other peaceful methods provided for in Article 33 of the Charter in keeping with our mutual pledges as copartners in the United Nations. For these reasons the Government of the United States is ready as a first step to participate in negotiations in Berlin among the four Allied Occupying Authorities for the settlement of any question in dispute arising out of the administration of the city of Berlin. It is, however, a prerequisite that the lines of communication and the movement of persons and goods between the United Kingdom, the United States and the French sectors in Berlin and the Western Zones shall have been fully restored.

Accept [etc.]



His Excellency
ALEXANDER S. PANYUSHKIN,
*Ambassador of the Union of Soviet
Socialist Republics.*

Reply to Polish Protest Concerning Six-Power Talks on Germany

NOTE FROM UNDER SECRETARY LOVETT TO AMBASSADOR WINIEWICZ

[Released to the press July 7]

July 6, 1948

EXCELLENCY: I have the honor to acknowledge the receipt of your note No. 51/41/48 of June 18, 1948, protesting on behalf of your Government the recommendations resulting from the Six-Power talks on Germany, recently held in London, on the grounds that the participants were "not competent and not empowered to deal with these problems". You stressed your Government's opposition to many of the recommendations as being contrary to existing international agreements and your Government's belief that all matters involving the future of Germany should be the exclusive concern of the Council of Foreign Ministers. I noted with particular interest your observation that "any possible difficulties in reconciling the positions within the Council cannot be insuperable, if all the Powers will abide by the Potsdam agreements."

I need hardly remind you of my Government's

persistent efforts to achieve four-power agreement on Germany on the basis of the Potsdam Agreement. I discussed this point in my note to you of September 30, 1947, in connection with the decision to revise the level of industry in the Anglo-American zone. The record clearly shows that the continuing efforts of my Government to achieve an equitable solution of the German problem in the Council of Foreign Ministers and in the Allied Control Council in Berlin have been fruitless largely as a result of the intransigent attitude of one of the occupying powers. The records of the Control Council as of March 1948 show that the Soviet representative has vetoed the agreed decisions of the other three powers in 69 instances—nearly three times the combined number of vetoes exercised by the other powers. As explained in my note under reference, it is because of the repeated failure over a period of three years to achieve four-power agreement that my Government "feels justified in pursuing ob-

Department of State Bulletin

jectives which have been commonly agreed and making arrangements for that purpose with any other occupying power willing to work toward the common end."

My Government agrees with your Government that German resources ought to be used for the benefit of the general reconstruction of Europe rather than for the reconstruction of only a part of Europe. The United States has consistently endeavored to implement the clear understanding in the Potsdam Agreement that Germany, including the Soviet Zone, should be treated as an economic whole and it has consistently striven to create those conditions which would lead to the establishment of a democratic German state capable of assisting the reconstruction of all the devastated countries of Europe and yet not constituting a threat to the security of those nations. The assertion that the United States has sought to divide Germany or to divide Europe is without any foundation. The fact that its offer to assist the general European recovery has not been accepted by certain countries, including Poland, has of necessity limited the application of that recovery program to those countries which have accepted it. The apparent division of Germany today after three years of unsuccessful attempts to hold it together is greatly deplored by my Government. Here again the necessity to confine our joint program in German to Western Germany is not of our making and certainly not in accordance with our wishes. The fact that the efforts of the United States toward the rehabilitation of Europe now have to be concentrated on the program for Western Europe, including Western Germany, is a direct result of the failure of the other countries of Europe at the instigation of the Soviet Union to join in a common program looking toward the rehabilitation of all Europe.

With regard to the substance of the London recommendations I must point out that there was no attempt in these talks to cover all aspects of the German problem. Therefore, there is no basis for your protesting the fact that the problem of reparations was omitted in the recommendations of the conference, a conference which you have insisted had no right to discuss any matters relating to Germany.

I must take exception to your comments on the recommendations concerning security and your statement that the fundamental aim of removing Germany's economic basis of aggression has been ignored. It should not be necessary for me to remind you that the United States has twice been engaged in major wars with Germany and that it is vitally interested in preventing a recurrence of German aggression. Security considerations, far from having been relegated to a secondary posi-

tion, were constantly in mind throughout the London discussions as should be evident from the communiqué reporting the final recommendations. This problem has of course become more complicated as a result of the unwillingness of the Soviet Union to join the other occupying powers in a long term treaty guaranteeing the disarmament and demilitarization of Germany. The London recommendations on the Ruhr and on general security make specific provision against the rebuilding of German economic power as a means to future aggression.

Your comments on the plan for the control of the Ruhr have, I believe, been answered in the general discussion above with respect to the division of Germany and of Europe. It should be observed that the program for the rehabilitation of Western Germany does not exclude that area from trade relations with Eastern Europe but, on the contrary, seeks to foster such trade in the common interest. If certain countries "who suffered most in consequence of German aggression" claim that their interests are not sufficiently taken into account by the program planned for Western Germany, their complaint should not be addressed to the United States Government but to the Government primarily responsible for preventing these countries from cooperating in the general recovery program for Europe. In the same way it seems to me that your protest against the failure to utilize quadripartite consultative machinery, should more appropriately be addressed to the occupying power responsible for the present deplorable division of Europe and Germany.

Accept [etc.]

For the Secretary of State:

ROBERT A. LOVETT

His Excellency

JOSEF WINIEWICZ,

Ambassador of Poland.

Letters of Credence

Czechoslovakia

The newly appointed Ambassador of Czechoslovakia, Dr. Vladimir Outrata, presented his credentials to the President on June 21. For the text of the Ambassador's remarks and for the President's reply, see Department of State press release 501 of June 21, 1948.

Panama

The newly appointed Ambassador of Panama, Señor Don Octavio A. Vallarino, presented his credentials to the President on June 24. For the text of the translation of the Ambassador's remarks and for the President's reply, see Department of State press release 506 of June 24, 1948.

U.S. Information Program

BY GEORGE V. ALLEN¹

Assistant Secretary of State for Public Affairs

We are frequently asked in the Department to state the *aims* of our foreign information program. The answer, I believe, is not difficult to formulate. Our information program is nothing more, nor less, than an instrument—one of the instruments—in achieving the foreign policy of the United States. That policy has today one paramount aim, the preservation of democracy as we understand and have always used the term. We seek the preservation of democracy in the United States and assist the free peoples of the world in preserving their liberties. We hope that in due course other peoples who have lost their liberties will be able to regain them.

The information program is but one of the implements we employ in our efforts to achieve our great foreign-policy objective. I would by no means claim that it is our most important implement. Our financial and economic efforts to assist in the economic recovery of Europe are perhaps our outstanding implementation of foreign policy today. What we *are* remains more important than what we *say* we are. *Doing* is more important than *saying*, or *promising*, or *boasting*. Indeed, so true is this doctrine that we waste our energy, our manpower, and our resources if we say anything at all in our information program except what we are, or what we do, or what we genuinely expect or hope to do.

I have frequently tried to assess why it was that Nazi Germany, the country which devoted more time and effort and money than any other nation to the work of information, or propaganda if you wish, had so little propaganda success. Herr Goebbels, the outstanding protagonist of the propaganda technique, succeeded, during the recent war, in achieving perhaps the greatest single success, as far as gaining a *large listener audience* is conceived, when he put "Lord Haw Haw" on Radio Berlin. Many of you will recall the eagerness with which Americans tuned their shortwave dials during the war, trying to hear what "Haw Haw" had to say. During the worst days of the bombing of Britain, residents of London still tuned their dials to listen to him. There is no doubt that Goebbels

succeeded in getting a great and eager listening audience. The Japanese achieved the same sort of success in the Pacific, with a girl called "Tokyo Rose". Our soldiers sat in foxholes in Guadalcanal and Guam, scanning their watches to be certain to hear her daily transmissions. If the task of a propagandist is to get *listeners*, the Nazis and Japanese scored tremendous successes.

But no one has produced any evidence that "Haw Haw" made the British military or civilian population fight one whit less hard through six years of war. Nor did the blandishments of "Tokyo Rose" have any harmful effect on the fighting spirit of our Marines at Tinian. Quite the contrary. The German and Japanese propagandists only succeeded in increasing our determination. Their money and effort were worse than thrown away.

Why did they not succeed? I have asked myself this question often during the past three months since I began considering this subject. The answer, I believe, is relatively simple. The Japanese and Nazis failed because they did not tell the truth. They told a few truths, yes, regarding bombing targets and raid objectives—enough to give a similarity of truth and to attract listeners—but the *basic underlying theme* of their broadcasts was not truth, and our listeners marked it down as easily recognizable propaganda.

Americans have always felt, rather instinctively, that the best way to conduct an information program is to tell the truth, and only the truth; but I had not realized, until going into the question, just why this is so. I am fully convinced that if our information program is not based on truth we had better close down all our broadcasts and call home all our press attachés from our Embassies abroad.

The primary advantage we have over the propaganda efforts of totalitarian states today is the fact that we Americans are not obliged to present ourselves to the world as models of perfection. The U.S. has so many virtues to overcome its shortcomings that we need not fear the effect of our being truly known abroad.

Totalitarian propagandists must picture their country as a paradise on earth, where everything is perfect, and must proclaim that everything in democratic countries is wicked and debased.

In our information activity, we must present our

¹ Excerpts from an address made at the Mount Holyoke College Institute of the United Nations, South Hadley, Mass., on June 29, 1948, and released to the press on the same date.

civilization in its true color if we are to be effective. That color is gray—not lily-white. We have the enormous advantage in our information program that we are willing to admit our imperfections and to tell the truth as nearly as we can ascertain it.

If, however, those in the State Department and elsewhere who are in charge of our information work should ever become subject to the daily fear that they might say something objectionable to some official, or suppress unpleasant facts for fear of losing their jobs, the result would eventually be that we would water down our scripts until American broadcasts would become merely the counterparts of that of the totalitarian propaganda: America would be presented to the world as the home only of sweetness and light. And the world would be no more convinced by our broadcasts than they are by totalitarian efforts.

I do not pretend that the truth is any easier to ascertain today than it was in the days of jesting Pilate. But we must be motivated always by the effort to find it out, and to state it clearly and boldly as nearly as we can.

As many of you may know, the formalized effort of governments to influence people outside their borders through organized information or propaganda programs is a relatively recent development. The first scheduled shortwave broadcasts in a foreign language by any government, for example, were inaugurated by the Nazis in 1936, I believe, when Herr Goebbels put on a Russian-language program beamed to the U.S.S.R. (Private American broadcasters began broadcasting in Spanish to Latin America as early as 1929, but entirely as a commercial venture without Government sponsorship.)

The British Broadcasting System inaugurated its foreign-language broadcasts in 1938, as I recall, using at first German, Russian, and French. Radio Moscow began to speak in German, French, English, and other languages about the same time.

The American Government's entry into the foreign information field came in 1942, as a result of the war. Two independent agencies of the Government in Washington were given the responsibility for this program. These were the Office of Inter-American Affairs under Mr. Nelson Rockefeller, for Latin America, and the Office of War Information, under Mr. Elmer Davis, for the remainder of the world.

At the close of the war, in the fall of 1945, these two agencies were transferred to the Department of State, and that Department found itself charged, for the first time, with responsibility for our foreign information program. The primary job at the start was a liquidating operation. My predecessor, Mr. William Benton, had the task, for example, of reducing the 13,000 employees in OWI by 90 percent.

There was considerable doubt in the minds of Congress, private information-media officials, and

others concerning the propriety of the U.S. Government's continuing in the information field during peacetime. Most people hoped that since Nazi Germany, the Government which had perverted information to propaganda purposes, had been defeated, the victorious Allies would continue to associate harmoniously in peace as they had in war, through the newly formed United Nations. It was hoped that misunderstandings and misrepresentations of motives among nations would be reduced to a point where no official information program by the U.S. would be required. Publishers of American newspapers, magazines, and books, and officials of American radio networks and motion picture studios felt they could do a better job than the Government in telling the American story abroad.

Debate on the subject was at its height in the summer of 1947, when many members of the U.S. Congress visited Europe and the Near East. They were amazed at the extent of misunderstanding and wilful misrepresentation of the U.S. which they found abroad. They returned to enact legislation, known as the Mundt-Smith act, signed January 27, 1948, providing for an official foreign information program as an integral part of the conduct of our foreign relations.

It is under this act that we now operate. Our information work is conducted primarily through three divisions, handling radio, press, and motion pictures. We also disseminate information abroad through 50 U.S. Government libraries. These libraries are considered primarily as educational institutions and are administered under our separate educational program, but the American newspapers and periodicals displayed on our library tables abroad are predominantly informational in character. There is considerable question whether educational and informational work can be sharply delineated. Someone has characterized our entire information program as "adult education".

The most conspicuous of our official information activities, as far as the American public is concerned, has always been the shortwave radio programs beamed abroad, known as the "Voice of America".

Much has been heard recently of the congressional investigations of the Voice of America. I do not propose to dwell on this subject tonight, except to say that I regard the investigations as having served a highly salutary purpose. They have clarified the atmosphere and have brought to light misunderstandings regarding responsibility and laxness in supervision which ought not to have been allowed to continue. I may add that I have often thought, during these recent congressional hearings, of the opinion expressed, I believe, by Lord Bryce in his monumental study of the American commonwealth, that the single most important contribution made by the American Gov-

ernment to political science has been the congressional investigation. This thought has sustained me through many days of such investigations during the past three weeks.

I wish to refer at this time, however, to another voice, which I would like to call the Voice of Democracy. I do not have in mind any radio program, either domestic or foreign. I refer to the Voice, or the synthesis of the voices, of all mankind throughout the world, who believe in the principles of individual freedom and human liberty.

This Voice should find its principal outlet in the various organs and independent agencies of the United Nations. The American people regard the United Nations as having been founded on the principles of democracy as we understand the term. Woven through the warp and woof of U. N. and all of its constituent parts, notably in the Charter of UNESCO, is the concept that the human mind and spirit should be free from the chains of repressive government.

Perhaps the most frequently discussed of the many human rights and aspirations is the freedom of speech. (And now we have added to that, in the United States, not only the right to speak, but also the right to speak *loudly*, since the Supreme Court upheld the right, in principle, of a religious group to use mechanical loud speakers in the propagation of its faith.)

A companion piece to the right of man to speak freely is the equal right of an individual to *listen*, in this modern age of radio communication. To this we must also list, as David Sarnoff has pointed out, the freedom to *look*, in these growing days of television.

Membership in the United Nations carries with it an obligation on the part of every member government to permit its citizens the full right to speak and the right to read and to listen and to look at news and ideas depicted in the press, radio, and all other information media without regard to national boundaries. Only in this way can the voice of the world's people, the Voice of Democracy, be created.

The Secretariat of the United Nations has conceived an excellent plan for a greatly increased information program, to disseminate knowledge of the activities of U. N. through press, radio, and pictures. This is an excellent project, and the facilities of the American Government, especially in the field of shortwave radio broadcasting, will be made available to U. N. to the maximum feasible extent, to assist in this most desirable project. But the official Voice of the United Nations is not what I have in mind. The Voice of Democracy today is the combined expression of every newspaper and every radio program, every public speaker and private discussion group, in the United States and in every other nation in the world where man is free to make his opinions

heard. Anyone at Lake Success who speaks on behalf of genuine democracy is a part of the voice.

The struggle in the world today, as President Truman has recently indicated, is not a struggle between two powerful nations. It is a struggle between two concepts or ideas. I do not hesitate to place it on the level of a struggle between good and evil, the good represented by human liberty and the evil by the totalitarian police state.

My experience in Iran during the past two years has caused me to visualize this conflict more clearly than I had before. Some of my Iranian friends who did not understand the nature of the conflict were quite frank in saying to me: "Why must Iran, a relatively small and weak country, continue to be involved, against its will, in great-power struggles? Why can't we be left alone, to live our own lives without disturbing or being disturbed by anyone? As for the quarrel between the U.S. and U.S.S.R., a plague on both your houses!"

If the contest in the world today were merely another contest between two opposing imperialisms, one could sympathize fully with this attitude. But it is *not* such a struggle. I make that declaration flatly and bluntly, despite certain groups, even in the United States, who regard the present world difficulties in very much the same light as did my Iranian friends to whom I have referred.

In the struggle between the Voice of Democracy and the Voice of Totalitarianism, every human being in the world has an equal stake. There are those who promote Fascism and Communism on both sides of the Iron Curtain, and those on both sides who are devoted to freedom and liberty. Every individual in the world has a choice to make. Liberty is challenged today on a scale never approached in modern times. This struggle of ideas will not go away and leave Iran alone, nor will it bypass any other nook and cranny of the globe where there are human beings, motivated by human desires and aspirations. There can be no neutrals in such a struggle, whether the contest is within a single village, a nation, or the world.

The Voice of America is and must remain a part of the Voice of Democracy. We must strive, in every possible way, to sustain what our experience, and world experience, has shown to be the best system of government and of society yet devised—the system which protects the individual against the repression of his human liberties by the state.

It is wicked for individuals or groups inside the United States or any other democratic country to utilize the freedoms of democracy in order to agitate for a system of government which offers spurious panaceas of equality, but which would immediately eliminate all such freedoms as soon as it came to power. How shallow it is for certain American citizens to visit the Soviet Union and return to this country puffed up with the fact

that they were received on a basis of racial or social equality in the U.S.S.R. I saw the same thing happen to tribesmen in the Middle East.

It is true that Uzbeks and Tajiks and Tartars have the same rights in Moscow as the Russians and Ukrainians and Georgians—the equal privilege of voting and speaking exactly as they are told and of going to Siberia if they breathe a word of criticism of the regime. It is true that democracies have not yet achieved all the equalities to which they aspire, but their vision is not clouded by any false belief that the security of the prison or the equality of the animal is the answer.

The U.S. information program must make these and other facts clear. At the same time, we must guard constantly, in our fight against the Communist brand of totalitarianism, which is most dangerously active at the moment, against the tendency to get in bed with the Fascist type. We must “play it straight down the middle”, devoting every ounce of our energies to the preservation of the human personality and the steady advancement towards the achievement of our goals through democratic processes.

Hungarian Campaign Against Voice of America

Statement by Assistant Secretary Allen

[Released to the press July 9]

The Department has been advised that the present authorities in Hungary are carrying forward what appears to be a systematic campaign to frighten the people of Hungary from listening to the news broadcasts and commentaries on the Voice of America.

These measures are not yet in the form of legal or police restrictions against listening to American broadcasts but take the form of arrests of persons on charges of “inciting against Hungarian democracy”. The police cite, as one of the evidences of guilt, the fact that the persons arrested have listened to Voice of America broadcasts.

The news broadcasts which we beam to Hungary are factual, objective reports such as the American public reads and listens to daily in American newspapers and radio news broadcasts. The fact that such drastic steps are being taken in Hungary to prevent the people from obtaining news of the outside world is a good indication that our Voice of America broadcasts are proving effective in that country.

More importantly, however, these repressive tactics by the present Hungarian Government to protect its dictatorship by keeping the people in ignorance and insulating them from the outside world is another indication that totalitarian rule is being applied there against the popular will. Its leaders have thus plainly shown that they fear

they can hold their power only by denying to their people, in increasing degree, freedom of information. This device has long been a necessary tool of dictators—Communist and Fascist.

U.S. Advisory Commission on Educational Exchange Appointed

[Released to the press by the White House July 9]

The President on July 9 appointed the United States Advisory Commission on Educational Exchange as provided in the Information and Educational Exchange Act of 1948.¹

The five Commission members were selected to represent the public interest from a cross section of educational, cultural, scientific, technical, and public-service backgrounds as provided in the act. The newly appointed members are:

Harold Willis Dodds, president of Princeton University, Princeton, N.J.

Karl Taylor Compton, president of Massachusetts Institute of Technology, Cambridge, Mass.

Bennett Harvie Branscomb, chancellor of Vanderbilt University, Nashville, Tenn.

Mark Starr, educational director, International Ladies' Garment Workers' Union, New York, N.Y.

Martin P. McGuire, professor of Greek and Latin, Catholic University of America, Washington, D.C.

The Advisory Commission is charged under the Mundt-Smith act with formulating and recommending to the Secretary of State policies and programs for carrying out educational-exchange activities under the new law, with the exception of matters provided for in the Fulbright act and those within the jurisdiction of the United States National Commission for UNESCO.

In making the appointments, the President designated Chancellor Branscomb as chairman of the Commission, to serve a three-year term, and specified two-year terms for President Dodds and President Compton and one-year terms for Mr. Starr and Dr. McGuire.

The Commission will meet at least once a month during the first six months of its existence and thereafter at intervals as it finds advisable. It will make quarterly reports to the Secretary of State and semiannual reports to the Congress.

THE FOREIGN SERVICE

Consular Offices

The American Consulate at Grenada, British West Indies, was officially closed to the public on June 30, 1948. The former Grenada consular district has been assigned to the American Consulate General at Port-of-Spain, Trinidad, B.W.I.

¹ Public Law 402, 80th Cong., 2d sess.

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FOREIGN AID AND RECONSTRUCTION

The 1947 Foreign Relief Program

An Article

On February 21, 1947, President Truman sent a message to the Congress recommending the appropriation of \$350,000,000 "to assist in completing the great task of bringing relief from the ravages of the war to the people of the liberated countries."

This action marked the beginning of the United States foreign-relief program of 1947, the first exclusively American large-scale relief effort following World War II. The program represented a new departure in the American approach to the relief needs of the postwar world. As the President indicated in his message, the 1947 program differed in many important respects from the relief efforts that had preceded it.

Previously, the United States had sought to alleviate human suffering resulting from the war by joining with other countries in the collective program entrusted to the United Nations Relief and Rehabilitation Administration. In those cases in which the United States acted independently to assist nations struggling toward recovery, it had provided aid in the form of credits and loans, as in the loan to Great Britain and smaller loans to other nations.

The 1947 relief program, in contrast, called for limited direct aid to certain liberated countries by the United States, administered exclusively by this Government. Relief was to be free and was to consist only of the basic necessities of life—food, medical supplies, and similar items. It was designed to keep people alive, rather than rebuild devastated areas and rehabilitate shattered economies. It was limited in scope; only a few nations, which were still facing critical essential needs, were to receive assistance. Most important of all, the relief granted was to be strictly American. This country reserved the right to select the recipients, to determine the amounts, and to apply its own administrative standards and procedures. Although, as the President stated in his message of February 21, it was hoped that other countries

capable of extending assistance would coordinate such assistance with American action, the aid to be rendered by the United States was in no way connected with or contingent upon the actions of any other countries.

Earlier United States Relief Activities

By the end of 1946, the United States had already made available almost 20 billion dollars for relief and rehabilitation assistance throughout the world. Among these American contributions to world recovery had been the British loan, foreign-credit authorizations by the Export-Import Bank, civilian supplies sent to occupied and liberated areas, credits advanced to finance sales of United States surpluses abroad, United States quotas in the World Bank and the International Monetary Fund, and United States contributions to UNRRA. In addition, the American Red Cross and 93 other private relief organizations in the same period had raised and donated over \$600,000,000.

Of all the relief activities in which the United States took part during and immediately after World War II, UNRRA was the most ambitious. Long before the end of the war, it was generally recognized both here and abroad that world reconstruction would be a gigantic task, calling for the best and united efforts of all the nations of the world capable of helping. In order to study and consider the challenging problems of relief and reconstruction and to make preparations to meet those problems, the United States took the lead in calling together in Atlantic City, in November 1943, representatives of the Allied and associated nations. UNRRA was created at that meeting.

Through UNRRA, war-ravaged areas of the globe, principally in Europe and Asia, received critically needed relief supplies, such as food, medicines, and clothing; industrial commodities and tools needed for economic reconstruction, such as railroad equipment, basic raw materials, and industrial machinery; and other goods and services without which rescue from starvation and chaos would

not have been possible. In all, UNRRA was responsible for the shipment of some 23,000,000 tons of supplies, nearly three fourths of which were produced and shipped by the United States. Of the approximately 3.9 billion dollars in contributions made available to UNRRA by its 48 member governments, the United States contributed 2.7 billion dollars, or 70 percent.

United States contributions to UNRRA were unavailable for obligation beyond June 30, 1947; the substitution of other relief agencies, therefore, was needed to meet the still critical situation in many parts of the world. It was into that threatened breach that the United States stepped with its 1947 program and with its support for other international agencies which inherited important UNRRA functions. A plan was adopted, in connection with the liquidation of UNRRA, by which the remaining functions, properties, and in some cases personnel were transferred to individual governments or to successor international agencies. In February 1947, for instance, a portion of UNRRA's agricultural-rehabilitation functions were transferred to the Food and Agriculture Organization. On January 1, 1947, the activities of UNRRA's Health Division became the responsibility of the Interim Commission of the World Health Organization. An International Children's Emergency Fund was established in December 1946. With UNRRA's responsibilities for the care and maintenance of displaced persons scheduled to end, the Preparatory Commission for the International Refugee Organization was set up and held its first session in February 1947. In March 1947, negotiations were begun with the Economic and Social Council of the United Nations on the transfer of UNRRA's functions in connection with the proceeds of the sale of UNRRA supplies. By the end of 1946, the International Bank for Reconstruction and Development and the International Monetary Fund were organized for operation.

Development of the Foreign Relief Program of 1947

Although the United Nations and its specialized agencies were in a position to carry on the efforts toward economic rehabilitation, they were not designed to cope with certain relief problems. The need for food, medicine, fuel, fertilizer, pesticides, and seed was urgent in many war-torn countries which did not have the means to obtain these sup-

plies in the commercial market. These needs could be met only through outright relief grants. These were the vital needs that the 1947 foreign-relief program of the United States was designed to meet.

In a radio address on December 8, 1946, Acting Secretary Acheson expressed the desire of the United States Government for completion of the job which had been undertaken by UNRRA and laid down the principles which would guide this country in the prosecution of the relief task. Mr. Acheson pointed out that UNRRA was a large and somewhat unwieldy organization. For political and other reasons, its relief contributions were not always equitable. The United States, which furnished the bulk of the aid, had no effective control of its disposition or use. Moreover, the job which remained after the liquidation of UNRRA as an official operating organization, though essential to continued recovery progress, was viewed then as comparatively small; the major relief job, it was felt, had already been accomplished. Only a few countries in Europe were considered in real need of free relief to avoid suffering and hardship.

With these considerations in mind, Mr. Acheson proposed that each nation capable of helping should contribute what it could toward meeting relief needs in 1947. He suggested that the relief activities of the several countries involved be coordinated as far as possible and that the United Nations be used as a clearinghouse. Each nation, however, was to retain control over its own relief appropriations. "Nations receiving free relief," said Mr. Acheson, "must prove their need for it and they can be held to a much closer and fairer accountability of the use of food and other free supplies." The people of the United States and the Congress, he said, had made up their mind that the relief problems of the near future were not of a character to warrant grants of enormous sums of money from the United States Treasury "under conditions which would leave little or no effective control by the grantor of these funds."

The Nature of the Proposed Program

The proposed United States program, as presented to the Congress following the Presidential message of February 21, 1947, called for a total outlay by this country of \$350,000,000. This figure was 57 percent of \$610,000,000, the approximate amount exclusive of remaining UNRRA

shipments estimated by the State Department to be the minimum relief requirements of the neediest countries for the calendar year 1947. This proportion was held to be a fair United States share of the total requirement, bearing in mind the capacity of this country in relation to that of other supplying countries. Five European countries, Austria, Greece, Hungary, Italy, and Poland, and one Asiatic country, China, were thought to be in need of outside relief assistance if their populations were to avoid disastrous suffering and starvation. Relief needs were calculated as that part of a country's minimum imports required to provide the basic essentials of life which could not be financed out of its own resources.

A fundamental principle of the proposed plan was that the total amount of assistance to be allocated to any country was not to be determined finally until the program was put in operation. There were three reasons for this principle. First, it was deemed advisable to avoid a situation in which a recipient nation might feel that it had a vested interest in or a right to a specific amount of money. In the case of UNRRA, for instance, it had proved difficult to make necessary adjustments in allocations in accordance with changing needs since the original allocations had been set and announced. Second, in estimating relief needs under the program, it had been necessary to make certain assumptions regarding future weather and crop conditions, export probabilities, loan and credit possibilities from private sources, and other variable factors. If unforeseen emergencies were to arise, these assumptions would be subject to serious change. Third, the amounts and types of assistance to be rendered by other contributors had to be considered and coordinated with American aid. What these contributions would be, and who would make them, were still largely unknown. At the time, only one relief commitment outside of the UNRRA programs had been made by another government: the British Government had announced a 40-million-dollar assistance program for Austria.

The 1947 program was to remain firmly in American hands. Control was to be exercised to the end that relief supplies would be distributed and used by recipient countries in a manner consistent with the purposes of the program. As far as possible, American relief supplies distributed in foreign countries were to be sold, rather

than given away. It was expected that people who were able would pay in local currencies for the supplies they received, and the funds accumulated by recipient governments in that manner would be set aside for use in relief activities within the countries involved. It was also proposed that the peoples receiving American aid should be kept fully informed as to the source, the nature, and the extent of the assistance given them.

It was planned that, following approval of the program by Congress, the United States Government would reach an agreement with each recipient government regarding all necessary aspects of the relief operation including the policies, principles, and methods to be followed in the distribution of the supplies. To be covered in the agreements were such subjects as the proper utilization of relief supplies, those produced locally and received from outside sources as well as those shipped by the United States; internal measures designed to achieve more efficient operation of the economies of the recipient countries such as rationing and price control; machinery for effective crop collections; freedom of United States officials and newsmen to travel, inspect, and report conditions; adequate publicity for American relief contributions; the right of the United States to halt or change the program at any time for any reason; efforts of the recipient governments to achieve economic recovery; and other provisions deemed necessary in carrying out the purposes of the relief program.

After the conclusion of an agreement, it was expected that target programs would be approved for the recipient country covering the goods to be procured over a two- or three-month period. Items to be obtained under the program would be procured either through commercial channels or through appropriate U.S. Government agencies. The Department of State was to make the necessary arrangements with each foreign government and was to keep fully informed regarding shipments and use of supplies, current relief needs, and compliance with the agreements concluded. It was not expected that the State Department would itself procure supplies in this country or abroad for shipment under the relief program. Procurement of supplies by the United States Government, wherever necessary, was to remain in the hands of the appropriate agencies, such as the Department of Agriculture for agricultural products, the Treasury Department for other products, and

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the Department of the Army for supplies for occupied areas. A small staff of trained United States officials was to be stationed abroad to observe the progress made under the program and to insure that the obligations assumed under the agreements were being carried out appropriately by each of the recipient countries.

Congressional Action

On February 25, 1947, within a week of receipt of the President's message, the Committee on Foreign Affairs of the House of Representatives began public hearings on House Joint Resolution 134, providing for relief assistance to countries devastated by war. After termination of the hearings, the original bill was redrafted and reintroduced as House Joint Resolution 153. On March 20, 1947, the Committee voted to report favorably on the Resolution. The Committee report, issued on April 9, 1947, generally endorsed the proposed relief program and stressed the urgency of prompt action. "Delay", stated the report, "would undermine much of the humanitarian work heretofore done . . . cause much suffering and economic deterioration, with consequences to the entire world not pleasant to contemplate."

On May 31, 1947, the President signed Public Law 84, authorizing the appropriation of \$350,000,000 for "relief assistance to the people of countries devastated by war." Public Law 84, which followed closely the text of the Joint Resolution, included additional provisions and language concerned primarily with administration of the program. It provided that up to \$40,000,000 of the \$350,000,000 authorized could be used as a contribution to the International Children's Emergency Fund of the United Nations; that not more than 15 million could be used for relief "in any countries or territories other than Austria, Greece, Hungary, Italy, Poland, Trieste, and China"; that not more than 6 percent of the authorized \$350,000,000 could be used for the procurement of supplies outside of the United States and its territories and possessions; that not more than \$5,000,000 could be used to pay necessary shipping expenses for supplies donated by American voluntary and nonprofit relief agencies; and that relief supplies were to be procured and furnished by the appropriate United States procurement agencies, unless the President determined otherwise. The effect of this last provision was to leave

the procurement and shipment of relief supplies in the hands of those agencies normally responsible—the Department of Agriculture, the Treasury Department, and in regard to areas in which the United States maintained military occupation forces (Austria and Trieste), the Department of the Army.

The law also contained a section directing the President "to seek arrangements that reparations payable from current production" by any country receiving relief "to any other country by treaty be postponed during the period of such relief." This section was a reference to the fact that Hungary and Italy were obligated to pay substantial amounts in reparations to the Soviet Union, a fact which had been discussed at length in the hearing held on the proposed relief program by the House Committee on Foreign Affairs.

In regard to the control of the relief program, the law attached two additional conditions to the obligations to be undertaken by recipient countries. One directed that provision "be made for a control system so that all classes of people within such country will receive their fair share of essential supplies". The other directed that, to the extent practicable, relief supplies be marked as having been furnished by the United States for relief assistance.

On May 31, 1947, in accordance with the provisions of Public Law 84, President Truman issued Executive Order 9864, delegating to the Department of State responsibility for operation of the relief program. On the same day, he transmitted to the Speaker of the House of Representatives a supplemental appropriation estimate of \$350,000,000 for the fiscal year 1947 "for relief assistance to war-devastated countries". In his message to the Speaker of the House, the President stated that "our prompt rendering of this assistance will do much to enable recipient countries to progress toward economic and political stability and will be a real contribution toward an enduring peace."

On July 30, 1947, Public Law 271 was approved. This law, known as "The Supplemental Appropriation Act, 1948", appropriated \$332,000,000 "for relief assistance to countries devastated by war". Of this total, an amount not to exceed \$600,000 was made available for the administrative expenses of the Department of State. In Public Law 393, which was approved on December 23, 1947, five months later, an additional \$18,000,000

was appropriated for aid to China "to enable the President to carry out the provisions of Public Law 84". This legislation brought to \$350,000,000 the total appropriation for the Foreign Relief Program of 1947, authorized under Public Law 84.

Administrative Phases

Following the passage of Public Law 84 and the promulgation of Executive Order 9864, the Department of State proceeded to set up the necessary administrative arrangements for operation of the relief program. Under these arrangements, the principal functions of the Department included developing of supply programs for the recipient countries; expediting and coordinating the procurement and shipment of supplies; conducting negotiations with representatives of foreign governments regarding all phases of the program, including the conclusion of agreements setting forth the conditions under which relief supplies would be distributed; recruiting and training of personnel for United States relief missions abroad; determining the principles and practices to be followed by these missions; controlling and directing the allocation of relief funds to the participating agencies of the United States Government and to the United States relief missions abroad; and serving as headquarters for the overall administration of the relief program.

In accordance with the provisions of Public Law 84, the President appointed a field administrator, Richard F. Allen, to supervise American relief assistance. Mr. Allen, who was confirmed by the Senate on June 16, 1947, established his headquarters in Rome, where he supervised the work of the United States missions in Italy, Greece, Austria, and the Free Territory of Trieste, the only European areas which received assistance under the program. The decision to drop Poland and Hungary from the list of countries to receive aid, and to add Trieste, was based principally on the capacity of the program to meet only the most urgent relief needs. In the case of Poland, the decision was based largely upon the report of a United States mission sent to that country at the request of the Secretary of State. The mission, headed by Colonel R. H. Harrison, Special Assistant to the Secretary of Agriculture, found that Poland's minimum food needs during 1947 generally could be met without assistance from the

United States. Poland's need for certain items, such as medical supplies and supplementary foodstuffs for special groups—children, orphans, sick, and aged—could be met, it was felt, through private relief organizations and other sources, including the International Children's Fund, which the United States was supporting.

The Relief Agreements

One of the first tasks that the Department of State undertook in connection with the program was the negotiation of agreements with the recipient countries regarding the distribution and use of relief supplies. The first agreement concluded was with Austria; it was signed on June 25, 1947. Agreements with Italy and Greece were signed on July 4, 1947, and July 8, 1947, respectively. No formal agreement was signed with the Free Territory of Trieste, created by the Italian peace treaty in September 1947, since that area had no official Government organization. The distribution of United States relief supplies in Trieste was handled through the facilities of the Allied Military Government. The relief program, however, covered only persons in the British and American zones. Since the agreement with China was not signed until October 27, 1947, the initiation of the assistance program for that country was delayed for several months.

The relief agreements with the recipient countries all followed the same pattern and generally covered the same points. Each was divided into ten articles: furnishing of supplies; distribution of supplies; utilization of funds accruing from sales of United States supplies; effective production, food collections and use of resources to reduce relief needs; United States representatives (this section was headed "United States Mission" in the agreements with Austria and Italy); freedom of the United States press and radio representatives to observe and report; reports, statistics and information; publicity regarding United States assistance; termination of relief assistance; and date of agreement. Each agreement was to take effect on the date it was signed and was to "continue in force until a date to be agreed upon by the two Governments."

The Over-All Program

After Congress had approved the appropriation of funds, the program moved ahead rapidly.

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As of September 30, 1947, \$248,663,000 had been approved for country programs, of which \$204,660,273 was the total commodity cost, and \$44,002,739 was the transportation cost. Considering the \$15,000,000 set aside for the International Children's Emergency Fund, the \$5,000,000 for the voluntary agency transportation fund, and the \$600,000 for administrative expenses, only \$62,737,000 remained unprogramed. Of the approved country programs, procurement had been initiated in the amount of \$136,127,325, and the value of shipments made had totaled \$72,088,161. In regard to the procurement of supplies outside the United States, which had been limited by congressional statute to not more than 6 percent of the total relief outlay, procurement had been initiated in the amount of \$10,995,000, covering coal from the Ruhr, Poland, and Czechoslovakia destined for shipment to Austria, and fertilizer from Belgium, Czechoslovakia, Switzerland, and Iceland destined for shipment to Austria, Greece, and Italy.

The bulk of the approved programs that reflected the principal needs abroad consisted of foodstuffs, mostly cereals. Of the total approved commodity cost of approximately \$205,000,000, more than half, about \$130,000,000, was for cereals, and an additional \$16,000,000 for fats and oils. Fuel accounted for \$30,000,000 of assistance, and fertilizer and medical supplies for about \$2,000,000 and \$3,000,000 respectively. In terms of tonnages, over one million tons of relief supplies, made up chiefly of 553,000 tons of cereals and 424,000 tons of fuel, had been shipped abroad by the end of September 1947.

The country programs were subject to constant change to meet varying needs abroad. During October, for instance, it was necessary to increase the Italian relief program to include essential coal shipments from the United States, and to increase the Greek program to meet additional essential food requirements. During that month also, a \$27,700,000 program was set up for China, and \$500,000 was set aside for the conservation program of the Citizen's Food Committee in the United States. By the end of October, less than \$25,000,000 of the \$332,000,000 appropriated remained unprogramed.

The relief program, by the last quarter of 1947, was in high gear. By December 31, 1947, ship-

ments under the program totaled 4,743,314 tons. The value of these shipments totaled \$229,520,292 or approximately 80 percent of the entire amount reserved for country programs, \$285,900,000. The \$18,000,000 of additional aid appropriated for China on December 23, 1947, had not been programed. The scheduled value of offshore purchases, which now included fish from Iceland destined for Greece and Italy and rice from Siam destined for China, had risen to \$19,495,000, of which deliveries in the amount of \$13,129,738 had already been made. Of the \$285,900,000 reserved for country programs, less than \$6,000,000, excluding the additional \$18,000,000 reserved for China, had not yet been programed. Most of that \$6,000,000 was being held for assistance to Trieste after January 1, 1948. It was hoped that, with the exception of the programs for China and Trieste, all shipments made against programs approved as of December 31, 1947, would be completed during the first quarter of 1948.

By April 30, 1948, the program was virtually completed, with only \$622,000 remaining to be programed. Approximately \$303,000,000 had been set aside for country programs, including \$256,000,000 for commodities and \$47,000,000 for shipping charges. Of the total, Austria was scheduled to receive assistance valued at about \$90,000,000, China at \$46,000,000, Greece at \$37,000,000, Italy at \$117,000,000, and Trieste at \$12,000,000. Procurement had been initiated for all but \$2,000,000 of supplies. Deliveries had been made of commodities valued at \$284,000,000, of which \$239,000,000 was the supply cost and \$45,000,000 the shipping cost. Foodstuffs made up 80 percent, or \$205,000,000, of all the aid programed, with cereals, principally wheat, accounting for \$170,000,000, almost 50 percent of all relief supplies. Included in the programed aid was approximately \$39,000,000 for fuel, \$1,000,000 for pesticides, \$7,000,000 for medical supplies, and \$2,000,000 for seeds. The over-all United States foreign relief program breakdown, as of April 30, 1948, included \$303,000,000 for country programs; \$40,000,000 for the International Children's Emergency Fund; \$4,500,000 for the Voluntary Relief Agency Transportation Fund; \$600,000 for Department of State administrative expenses; \$250,000 for the Citizen's Food Committee; \$1,000,000 for the Food Conservation Program; and \$622,000 not yet programed.

The Individual Country Programs

The breakdown of the individual country programs was as follows:

Austria: As of April 30, 1948, approximately \$76,000,000 of aid, excluding \$14,000,000 for the cost of shipping supplies, had been programmed for Austria. Of this total, procurement had been initiated for \$75,000,000 of supplies, and deliveries valued at \$71,000,000 had been made. Food supplies, predominantly cereals, made up 75 percent of the aid for Austria.

The United States relief supplies were barely enough to maintain Austria's minimum economic level. Food products shipped under the program furnished 60 percent of the food rationed to the Austrian population. Without this American aid, Austria would have faced an acute situation. Lack of adequate agricultural equipment, shortages of fertilizer and seed, and a bad drought during the summer months affected the country's agricultural production during 1947. Indigenous production of bread grains was only 60 percent of prewar. The Austrian ration provided the normal consumer during 1947 with only 1550 to 2000 calories a day. The normal level in the United States is approximately 3400 calories a day.

Fuel, or coal, supplies valued at \$14,000,000, about 18 percent of the total Austrian program, were programmed for shipment to Austria. The severe 1947 drought seriously affected power facilities and aggravated Austria's desperate need for coal to meet industrial fuel requirements and to maintain essential services, such as hospitals and rail transportation.

Greece: The relief program for Greece had almost been completed by April 30, 1948, with only \$100,000 in supplies still to be shipped. In all, Greece was scheduled to receive aid in the value of \$37,000,000, including more than \$4,000,000 chargeable to shipping cost.

The need for food in Greece, which never has been able to feed itself, was critical. More than \$2,000,000 of the \$33,000,000 in aid programmed for Greece went for food supplies—\$24,000,000 for cereals and \$8,000,000 for fats and oils, meats and fish, pulses, and dairy products.

The guerrilla warfare in Greece has seriously complicated economic problems in that country. By the end of 1947, 430,000 refugees had fled from areas threatened by the guerrillas. More

than 1,000,000 people in addition were destitute and almost entirely dependent upon relief supplies. As a result of guerrilla activities, it was impossible to deliver needed relief supplies to areas with which the Greek Government was not able to maintain adequate communication facilities. The Greek Government faced tremendous problems in the care and maintenance of the refugees from the war-ravaged areas in the northern and central parts of the country, and it was not always able to provide them with the minimum food rations required for subsistence. Medical supplies furnished under the relief program, mostly penicillin, streptomycin, and cholera vaccine, have proved invaluable in protecting the population against outbreaks of serious epidemics.

In view of the critical internal situation in Greece, the relief program in that country played a particularly important role. The United States relief mission worked closely with the officials of the United States Mission for Aid to Greece. The availability of United States relief supplies contributed significantly to the maintenance of stability in Greece and helped avert the development of a completely chaotic situation in that country.

Italy: The relief program for Italy was virtually complete by the end of April 1948. Dollars numbering 117 million had been programmed for Italy—\$96,000,000 for supplies and \$21,000,000 for shipping charges. Only \$400,000 in supplies remained to be delivered as of April 30, 1948. Cereals, primarily wheat, constituted 65 percent of the Italian program, and fuel, primarily coal, 25 percent.

Italy was heavily dependent upon United States wheat and coal. The wheat harvest during 1947 was only 68 percent of prewar, and without adequate outside help Italy would have faced a desperate situation. Even with the foodstuffs furnished under the United States relief program, the Italian Government was barely able to maintain minimum food-ration levels. The need for American coal to maintain Italy's reduced rate of industrial production was urgent. The coal shipped under the program was subject to allocation in Italy and was used only for essential purposes to prevent economic retrogression. The success of the relief program in Italy may have been reflected, to a considerable degree, in the outcome of the Italian elections in April 1948.

Trieste: The area supplied under the relief program previously had included the provinces of

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Udine and Venèzia Giulia, an area with a population of 1,300,000 and with a relatively substantial agricultural output. Trieste had been included in this area. After the signing of the Italian treaty, the program supplied only the British and American zones of the Free Territory of Trieste, an area with a population of 290,000 and with practically no agricultural production. These zones were almost entirely dependent upon the United States foreign-relief program for imports to meet essential requirements of food, coal, and other critical items.

A \$12,000,000 program was set up for Trieste, consisting of approximately \$10,000,000 in supplies and \$2,000,000 for shipping costs. More than \$9,000,000 in supplies had been shipped to Trieste by the end of April 1948. Almost \$7,000,000, or 75 percent of the program, consisted of wheat. Nonfood items, coal and medical supplies, made up only 12 percent of the Trieste program.

The Allied Military Government's control over the distribution of these supplies facilitated an equitable distribution of relief in Trieste. The shipment of relief supplies for Austria through the ports of the Free Territory provided a means of improving conditions in Trieste, where opportunities for industrial and agricultural employment were limited.

China: After the relief agreement with China was signed on October 27, 1947, a program of \$27,700,000 was set aside for that country, chiefly for procurement of wheat and rice. The program included \$5,000,000 for the procurement of rice in Siam and also \$4,000,000 for the procurement of medical supplies in the United States.

When Public Law 393 was passed on December 23, 1947, an additional \$18,000,000, that was programmed early in 1948, was made available for China relief. The total Chinese program totaled \$46,000,000, \$41,000,000 for commodities and \$5,000,000 for shipping. Cereals made up about 85 percent of China's commodity program, and medical supplies another 12 percent. Relatively small amounts of pesticides and seeds also were scheduled for shipment. By April 30, 1948, deliveries had been made in the value of \$33,000,000, including \$3,000,000 for shipping expenses. The bulk of the deliveries, almost 99 percent of the total commodity value, had been made up of cereals. Little more than \$300,000 in medical supplies and seeds, and no pesticides, had been delivered.

China's critical months, as far as food needs were concerned, were from March to June. It is traditional in China to distribute indigenous food stocks during the period of the Chinese New Year, which this year came in February. The American relief mission, therefore, took all possible steps to insure that the distribution of United States relief supplies should begin in March. To help distribute the United States supplies, the American mission worked with the Chinese Government in developing a controlled ration plan for use in China's important distribution centers—Canton, Nanking, Peiping, Shanghai, and Tientsin.

Evaluation of the Program

The 1947 foreign-relief program had the immediate and direct effect of saving lives and preventing economic retrogression in critical areas of Europe and Asia. At the same time, by providing those supplemental amounts of food, fuel, medical supplies, fertilizer, pesticides, and seed needed to sustain life and maintain agricultural activity, it averted the complete deterioration of social, political, and economic conditions. It was a stabilizing influence in areas threatened with chaos and confusion.

That the program, despite its contribution to the well-being and stability of important parts of the world, did not accomplish the purpose set out for it—the completion of the world relief task—can be attributed to a number of important factors, over which the Government of the United States largely had no control. Abnormally adverse weather conditions during 1947—droughts, freezes, and floods—set Europe back to a degree which could not have been foreseen. Resultant crop failures and transportation tie-ups rendered most of Europe incapable of continuing the pace of reconstruction and rehabilitation and increased the dependence of the Europeans upon outside assistance, principally American, for the very necessities of life. Thus the 1947 relief program, instead of furnishing the final push toward reasonable economic recovery, barely enabled the populations of those countries it assisted, those in most dire need, to maintain the progress they had already made.

Other factors also lessened the effectiveness of the relief program. Rising prices, for instance, cut materially into the volume of goods which could be purchased both here and abroad for overseas use. It was not possible to procure those

quantities of supplies with the \$350,000,000 appropriated which it had been anticipated would be obtained when the program was proposed and authorized. As a result, relief targets could not be met fully, and consequently the entire program suffered. Political conflicts and disturbances played a part in reducing the effectiveness of the program. Internal dissension over national policy and turmoil created by dissident political groups worked against the necessary self-help and rehabilitation efforts of the countries receiving American assistance. In Greece and China conditions of actual warfare existed. In Austria, the presence of the uncooperative occupation force of the Soviet Union hampered the distribution of relief supplies to the needy population. In all of the countries receiving aid, these disruptive elements made strong attempts to minimize the importance of the United States relief program and to keep the facts concerning it from the people.

The Place of the 1947 Program in United States Foreign Policy

It was realized even before the program was authorized by Congress that the 1947 foreign-relief program could not succeed in bringing an end to Europe's need for outside assistance. By June 5, 1947, when Secretary Marshall made his famous speech at Harvard University which set in motion the European Recovery Program, it had become clear to the authors of American policy that no amount of relief alone could place Europe firmly on the road to reconstruction and recovery. The extent of the physical destruction and of the economic and political dislocation which the war had visited upon Europe demanded a new and more fundamental approach to the problem of

recovery. The European Recovery Program, the most extensive economic undertaking in history, was the answer. As a stopgap until ERP could be placed in operation, it was necessary to supplement the \$350,000,000 relief program of 1947 with the \$522,000,000 interim-aid program for Austria, France, and Italy made possible by Public Law 393, approved December 23, 1947.

In the adoption of the interim aid and the European Recovery Programs lies the proof of the value of the 1947 foreign-relief program. It was an integral link in the chain of United States foreign policy. By preventing chaos and confusion, it held the fort during a critical period until the forces of stability and democracy could be mobilized for the great effort toward world recovery and peace. In the absence of this foreign-relief program, the year 1947 might well have seen the triumph in strategic areas of the world of those forces of despair and tyranny which oppose ERP and which have sought on so many occasions to thwart American attempts to promote international stability and understanding. Under such circumstances, the concept of a European Recovery Program, with its significance for world peace and progress, might have disappeared into the limbo of lost opportunities.

Taken in this larger sense, the 1947 relief program, the link between the war-born UNRRA and the great cooperative European Recovery Program, emerges as more than a \$350,000,000 foreign-aid program. It is seen in its true light as an indispensable step in the direction of that world of peace, progress, and prosperity which is the hope of the United States and of men of good will everywhere.

ERP Agreements Concluded With Fourteen Countries

[Released to the press jointly with ECA July 4]

The following 14 countries have signed or initialed bilateral agreements with the United States under the Foreign Assistance Act of 1948: Austria, Belgium, China, Denmark, France, Greece, Iceland, Ireland, Italy,¹ Luxembourg, the Netherlands, Norway, Sweden, and the United Kingdom.

These agreements are finally effective for 10 of these countries: Austria, China, Denmark, Greece, Iceland, Ireland, Italy, Luxembourg, the Netherlands, and Norway. In the case of the other countries participating in the foreign-assistance program, it is expected that appropriate parliamentary proceedings to make the agreements finally effective will be completed in the near future.

Formal action with respect to bilateral agreements has not yet been taken by Switzerland, Por-

tugal, and Turkey. With respect to the occupied zones of western Germany, after the draft text of the master agreement was worked out, it had to be adapted to the special circumstances of the occupied zones. However, in view of recent developments in Berlin, the senior occupation authorities of the British-American bizonal zone of occupation have not had an opportunity to conclude work on the agreement for their zone. In the case of the French zone, early signing of the agreement is anticipated with the understanding that amendments might be made later in order to bring it into conformity with the bizonal agreement.

Under the provisions of the law, further assistance must be suspended for countries with whom agreements had not been concluded as of July 3. It is expected that there will be only brief delays in completing final action; serious interruptions in the flow of ECA² supplies are not anticipated.

Most-Favored-Nation Treatment for Areas Under Military Occupation With Respect to Turkey

In the text of the notes exchanged between the United States and Turkey, which are identical in form, variations from the U.S.-U.K. note³ appear in paragraphs 1 and 2. Paragraph 4 of the U.S.-U.K. note is not contained in the U.S.-Turkey exchange of notes.

1. For such time as the Government of the United States of America participates in the occupation or control of any areas in western Germany, the Free Territory of Trieste, Japan or southern Korea, the Government of the Republic of Turkey will apply to the merchandise trade of such area the provisions relating to the most-favored-nation treatment of the merchandise trade of the United States of America set forth in the Trade Agreement between the United States of America and the Republic of Turkey, signed April 1, 1939, or, for such time as the United States of America and the Republic of Turkey may both be contracting parties to the General Agreement on

Tariffs and Trade, dated October 30, 1947, the provisions of that Agreement as now or hereafter amended, relating to the most-favored-nation treatment of such trade. It is understood that the undertaking in this paragraph relating to the application of the most-favored-nation provisions of the Trade Agreement shall be subject to the exceptions recognized in the General Agreement on Tariffs and Trade permitting departures from the application of most-favored-nation treatment; provided that nothing in this sentence shall be construed to require compliance with the procedures specified in the General Agreement with regard to the application of such exceptions.

2. The undertaking in point 1, above, will apply to the merchandise trade of any area referred to therein only for such time and to such extent as such area accords reciprocal most-favored-nation treatment to the merchandise trade of the Republic of Turkey. In this connection, the Government of the United States of America will seek arrangements whereby such areas will accord most-favored-nation treatment (including most-favored-nation treatment in the application of quantitative restrictions in accordance with the principles of the General Agreement on Tariffs and Trade) to the merchandise trade of Turkey.

¹ See BULLETIN of July 11, 1948, p. 37, for Italian agreement.

² Economic Cooperation Administration, directing the European Recovery Program under the Foreign Assistance Act of 1948.

³ BULLETIN of July 11, 1948, p. 43.

THE UNITED NATIONS AND SPECIALIZED AGENCIES

Appeals by U.N. Mediator for Peaceful Settlement of Palestine Situation

CABLEGRAM FROM MEDIATOR TO SECRETARY-GENERAL¹

June 30, 1948

On 28 and 29 June I presented to Arab and Jewish authorities in Cairo and Tel Aviv respectively three brief papers setting forth in outline my views and suggestions for a possible approach to the peaceful adjustment of the future situation of Palestine. These documents were presented to the appropriate Arab and Jewish officials by representatives of the Secretariat who, as my envoys, were authorized to explain orally the suggestions presented and to give such elaboration of them as might be required.

The suggestions have been presented quite tentatively and with a primary view to discovering if there may be found at this stage of the mediation a common ground on which further discussion and mediation can proceed.

I have invited both Arab and Jewish representatives to come to Rhodes to discuss with me the suggestions which I have advanced or any

counter-suggestions which either or both of them may wish to put forth. If for any reason this should not prove feasible, I have expressed my willingness to meet with the representatives of each side at such places as they may suggest.

I have not, however, asked either side to come to Rhodes for a joint meeting of Arabs and Jews or a joint roundtable conference of the two parties.

I have also appealed to both Arab and Jewish authorities not to release to the press or to otherwise publish the suggestions I have offered or their comments on them until I have officially received these comments or counter-suggestions. For this reason I am not communicating these papers to the Security Council at this time.

As of 30 June no such comments or counter-suggestions had been received by me. I have set no deadline date for the communication to me of the views of the two parties.

COUNT BERNADOTTE

TEXT OF SUGGESTIONS PRESENTED BY MEDIATOR²

The following text was sent by the Mediator to be held by the Secretary-General for transmission to the President of the Security Council at a time to be notified later. The Secretary-General subsequently was requested to release the text at 2:00 p.m., E.D.T., 4 July 1948

I have the honour to present for the information of the Security Council the following three papers presented to the Arab and Jewish authorities on 28 June 1948, for their consideration in pursuance of my effort to find a common basis for discussion with the two parties looking towards a peaceful adjustment of the future situation of Palestine.

Part I. Introductory Statement

1. The resolution of the General Assembly of 14 May 1948, provides *inter alia* that the United Nations Mediator is to use his good offices to "promote a peaceful adjustment of the future situation of Palestine".

2. It follows that my prime objective as Mediator is to determine on the basis of the fullest exploration, whether there is any possibility of reconciling, by peaceful means, the divergent and conflicting views and positions of the two sides.

3. The co-operative attitude manifested thus far by both sides has made possible the truce which began on 11 June. This truce has brought a calmer atmosphere, more favourable to the task of mediation entrusted to me by the General Assembly. In this improved atmosphere I have talked with the representatives of both sides and have obtained a very clear impression of their positions on the question of the future of Palestine. I have also profited from the information afforded by the technical consultants whom each side has designated in response to my request.

¹ U.N. doc. S/860, June 30, 1948.

² U.N. doc. S/863, July 3, 1948.

4. The basic issues arising from the opposing parties relate to partition, the establishment of a Jewish State, and Jewish immigration.

5. I have thoroughly studied, weighed and appraised the positions taken by the two parties. I interpret my role as Mediator not as one involving the handing down of decisions on the future of Palestine, but as one of offering suggestions on the basis of which further discussions might take place and possibly counter-suggestions be put forth looking toward a peaceful settlement of this difficult problem. My suggestions at this stage, then, must clearly be of such nature as to provide a reasonable framework of reference within which the two parties may find it possible to continue their consultations with me towards the end of a peaceful adjustment.

6. My analysis has taken into account the equities involved, and the aspirations, fears, motivations of the parties. It has also taken account of the realities of the existing situation. It has convinced me that on grounds of equity as well as on practical grounds it is impossible for me as Mediator to call upon either party to surrender completely its position. In the light of this analysis I see a possibility of an adjustment which would give adequate reassurance to both parties as regards the vital factors in their respective positions. But the realization of this possibility depends upon the willingness of the parties to explore all avenues for a peaceful adjustment and their readiness not to resume armed conflict as a means of settling their differences.

7. Despite the present conflict, there is a common denominator in Palestine which, happily, is acceptable to and affirmed by both sides. This is the recognition of the necessity for peaceful relations between Arabs and Jews in Palestine and of the principle of economic unity.

8. It is with this common denominator especially in mind that I put forth the accompanying suggestions in outline as a basis for discussion. These suggestions, I must emphasise, are submitted with no intimation of preciseness or finality. They are designed solely to explore the possible bases for further discussions and mediation, and to elicit from the parties their reactions and further views. Moreover, any plans which might result from these suggestions could be workable only if voluntarily accepted and applied. There can be no question of their imposition.

9. I should make perfectly clear my intentions as regards future procedure. If it develops that the suggestions herewith presented, or suggestions subsequently presented, which may arise from the reactions to those now put forth, provide a basis for discussion, I will carry on with the discussions as long as may prove necessary and fruitful. If, however, these or subsequent suggestions, if any should emerge, are rejected as a basis for discussion, which I earnestly hope will not occur, I shall

promptly report the circumstances fully to the Security Council and shall feel free to submit such conclusions to the Security Council as I may consider appropriate.

COUNT FOLKE BERNADOTTE
United Nations Mediator on Palestine,
Rhodes, Greece, 27 June 1948.

Part II. Suggestions Presented by the Mediator on Palestine

The Mediator advanced the following suggestions as a possible basis for discussion:

1. That, subject to the willingness of the directly interested parties to consider such an arrangement Palestine, as defined in the original Mandate entrusted to the United Kingdom in 1922, that is including Transjordan, might form a Union comprising two members, one Arab and one Jewish.

2. That the boundaries of the two members be determined in the first instance by negotiation with the assistance of the Mediator and on the basis of suggestions to be made by him. When agreement is reached on the main outlines of the boundaries they will be definitively fixed by a Boundaries Commission.

3. That the purposes and function of the Union should be to promote common economic interests, to operate and maintain common services, including customs and excise, to undertake development projects and to co-ordinate foreign policy and measures for common defence.

4. That the functions and authority of the Union might be exercised through a central council and such other organs as the members of the Union may determine.

5. That, subject to the provision of the Instrument of Union, each member of the Union may exercise full control over its own affairs including its foreign relations.

6. Immigration within its own borders should be within the competence of each member, provided that following a period of two years from the establishment of the Union, either member would be entitled to request the Council of the Union to review the immigration policy of the other member and to render a ruling thereon in terms of the common interests of the Union. In the event of the inability of the Council to reach a decision on the matter, the issue could be referred by either member to the Economic and Social Council of the United Nations whose decision, taking into account the principle of economic absorptive capacity, would be binding on the member whose policy is at issue.

7. That religious and minority rights be fully protected by each member of the Union and guaranteed by the United Nations.

8. That Holy Places, religious buildings and sites be preserved and that existing rights in respect of the same be fully guaranteed by each member of the Union.

9. That recognition be accorded to the right of residents of Palestine who, because of conditions created by the conflict there have left their normal places of abode, to return to their homes without restriction and to regain possession of their property.

COUNT FOLKE BERNADOTTE
United Nations Mediator on Palestine,
Rhodes, Greece, 27 June 1948.

Part III. Annex to the Suggestions: Territorial Matters

With regard to paragraph 2 of the suggestions it is considered that certain territorial arrangements might be worthy of consideration. These might be along the following lines:

1. Inclusion of the whole or part of the Negev in Arab territory.
2. Inclusion of the whole or part of Western Galilee in Jewish territory.
3. Inclusion of the City of Jerusalem in Arab territory, with municipal autonomy for the Jewish community and special arrangements for the protection of the Holy Places.
4. Consideration of the status of Jaffa.
5. Establishment of a free port at Haifa, the area of the free port to include the refineries and terminals.
6. Establishment of a free airport at Lydda.

COUNT FOLKE BERNADOTTE
United Nations Mediator on Palestine,
Rhodes, Greece, 27 June 1948.

REPLY FROM PROVISIONAL GOVERNMENT OF ISRAEL³

7 July 1948

On behalf of the Provisional Government of Israel, I have the honour to convey, for the information of the Security Council, the text of the reply given by the Foreign Minister of Israel to the suggestions presented by Count Bernadotte to the Governments of Israel and of the Arab States.

AUBREY S. EBAN
Representative of the
Provisional Government of Israel

On behalf of the Provisional Government of Israel, I have the honor to offer the following observations on the suggestions presented by you under cover of your letter of June 27 as a possible basis for discussion in discharge of your task to "promote a peaceful adjustment of the future situation of Palestine".

1. The Provisional Government of Israel noted with surprise that your suggestions appear to ignore the resolution of the General Assembly of 29 November 1947, which remains the only internationally valid adjudication on the question of the future government of Palestine.

The Provisional Government also regrets to find that, in formulating your suggestions, you do not appear to have taken into account fully the outstanding facts of the situation in Palestine, namely, the effective establishment of the sovereignty of the State of Israel within the area assigned to it in the Assembly's resolution, and other territorial changes which resulted from the repulse of the attack launched against Israel by Palestinian Arabs and by the neighboring Arab States.

2. The Provisional Government of Israel begs to recall that the Jewish people accepted the settlement laid down in the General Assembly's resolution

as a compromise entailing heavy sacrifices on its part, and the territory assigned to the Jewish State as an irreducible minimum. It is indeed the conviction of the Provisional Government of Israel that the territorial provisions affecting the Jewish State now stand in need of improvement, in view both of the perils revealed by Arab aggression to the safety and integrity of Israel and of the results achieved by Israel in repelling this aggression. In this connection, the Provisional Government of Israel desires to point out that the territorial settlement laid down in the resolution was based on partition of Western Palestine between the Jewish people and the Arab population of Palestine. Inclusion of the Arab portion of Palestine in the territory of one of the neighboring Arab States would fundamentally change the context of the boundary problem.

3. The Provisional Government of Israel cannot agree to any encroachment upon or limitation of the free sovereignty of the people of Israel in its independent State. While it is the basic aim and policy of Israel to establish relations of peace and amity with her neighbors on the basis of closest possible collaboration in all fields, international arrangements which may be necessary to give effect to this policy cannot be imposed upon Israel, but can only be entered into as a result of an agreement negotiated between the interested parties as free and sovereign States.

4. The Provisional Government of Israel would be ready to accept the provisions concerning Economic Union as formulated in the Assembly's resolution if all their basic premises were to materialize. This is not, however, the eventuality

³ U.N. doc. S/870, July 8, 1948.

envisaged in your suggestions. The partner State whom the Israelis are invited to join in a Union is both in its political identity and in its geographical dimensions wholly different from the Arab State provided for in the resolution. Jewish consent to Economic Union in the context of the resolution cannot therefore be binding in the new situation. It must now be left to the free and unfettered discretion of the Government of Israel in the exercise of its sovereign rights to determine what arrangements should govern Israel's relations with her neighbor or neighbors in the field of economic co-operation.

5. The Provisional Government of Israel must be particularly emphatic in its opposition to any infringement of Israel's independence and sovereignty as regards her immigration policy. Complete and unqualified freedom to determine the size and composition of Jewish immigration was the very essence of the Jewish claim to statehood. Recognition of the moral validity and the practical urgency of that claim in connection with the issue of immigration lay at the roots of its acceptance by the international world. There can be no question of any Israeli Government accepting the slightest derogation in favor of any joint or international body from Israel's sovereignty as regards control of her immigration policy.

6. The Provisional Government of Israel was deeply wounded by your suggestion concerning the future of the City of Jerusalem, which it regards as disastrous. The idea that the relegation of Jerusalem to Arab rule might form part of a peaceful settlement could be conceived only in utter disregard of history and of the fundamental facts of the problem which are:

a) The association of Judaism with the Holy City;

b) The unique place occupied by Jerusalem in Jewish history and present-day Jewish life;

c) Jewish inhabitants constituted a two-third majority in the City before the commencement of Arab aggression, and this proportion has greatly increased since then as a result of Arab evacuation;

d) The whole of Jerusalem with only a few minor exceptions is now in Jewish hands;

e) And not least, the fact that after an exhaustive study of the problem and as a result of the overwhelming consensus of Christian opinion in its midst, the General Assembly resolved that Jerusalem be placed under an international regime.

The Provisional Government of Israel must make it clear that the Jewish people in the State of Israel and the Jews of Jerusalem will never acquiesce in the imposition of Arab domination over Jerusalem, no matter what formal municipal autonomy and what right of access to Holy Places the Jews of Jerusalem might be allowed to enjoy. They will resist any such imposition with all the force at their command. The Provisional Government of Israel regrets having to say that your startling suggestion regarding Jerusalem, by encouraging false Arab hopes and wounding Jewish feelings, is likely to achieve the reverse of the pacifying effect which you undoubtedly had in mind.

7. The Provisional Government of Israel does not find it necessary at this stage to comment upon the other points raised in your suggestions as it hopes that examination of its present observations on the major aspects of the scheme for a settlement tentatively outlined by you may cause you to reconsider your whole approach to the problem.

CABLEGRAM FROM MEDIATOR TO SECRETARY-GENERAL ON PROLONGATION OF TRUCE¹

July 5, 1948

The following proposals have been submitted to the parties on 3 and 5 July 1948:

During that very short period, a first effort has been made to explore the possibilities for effective mediation of the Palestine dispute. It could have been expected that in these four weeks a peaceful adjustment of the future situation of Palestine could have been achieved on the basis of agreement between the parties.

On the whole, the truce has worked well. There have been complaints from both sides as to the alleged violations of the terms of truce agreement. There have been instances of violation, but all fighting on a major scale has been stopped, and it can be said quite confidently that the truce has

worked well, and by 9 July 1948, neither State will have gained any significant military advantage from its application. In the meantime, through the operation of the truce, much bloodshed and destruction have been avoided and many lives spared.

Security Council Resolution of July 7²

The Security Council,

Taking into consideration the telegram from the United Nations Mediator dated 5 July 1948,

Addresses an urgent appeal to the interested parties to accept in principle the prolongation of the truce for such period as may be decided upon in consultation with the Mediator.

¹ U.N. doc. S/865, July 6, 1948.

² U.N. doc. S/875, July 9, 1948.

The expiration of the date of the truce on 9 July is now imminent. The parties to the truce must answer the question whether, in the absence of agreement on the procedure and substance of mediation, they will again resort to armed conflict.

There can be little doubt that a decision to resume fighting in Palestine will be universally condemned and that the party or parties taking such a decision will be assuming a responsibility which will be viewed by the world with the utmost gravity.

The truce, in effect, is based on the resolution of the Security Council of 29 May 1948. It was the fighting in Palestine which induced to adopt that

resolution. Unless the parties themselves agree to extend the truce beyond 9 July, it may be assumed that the Security Council will again consider the matter and take such action as circumstances may demand.

In order that the efforts toward mediation of the dispute may continue, and in the interest of a peaceful settlement of the problem by means of patient and tolerant effort and reciprocal good will, I ask the United Nations, as the United Nations Mediator on Palestine, to urgently appeal to the interested parties to accept in principle the prolongation of the truce for such period as may be decided upon in consultation with the Mediator.

REPLY OF PROVISIONAL GOVERNMENT OF ISRAEL ACCEPTING 30-DAY TRUCE⁶

Following is text of Jewish reply to proposals of Mediator handed to Mediator by Shertok Thursday afternoon, 7 July⁷

1. The Provisional Government of Israel agrees to a prolongation of the Truce for a period of thirty days from 6 a. m. GMT on Friday, July 9th 1948, on the understanding that the conditions to be observed by all parties concerned shall be substantially the same as those which govern the Truce at the present time.

2. The Provisional Government of Israel is ready to discuss the Mediator's proposal for the demilitarisation of Jerusalem. This proposal provides for the supply to Jerusalem of food, fuel, water and other essential non-military supplies without limitation of quantity. It also provides for an international force to assume full responsibility for security but not for administration in the demilitarized zone, in regard to which *status quo* will be maintained. It stipulates that this arrangement shall in no way prejudice the future political status of Jerusalem and also that at the

end of the period of demilitarisation the Jewish forces would be entitled to return to the military *status quo ante*. The Israeli Government fully reserves its rights and claims with regard to the future status of Jerusalem.

3. If the present country-wide Truce should not be prolonged, the Provisional Government of Israel is willing to accept an immediate cease fire in Jerusalem to permit a final decision to be reached on the question of demilitarisation.

4. The Provisional Government of Israel does not favour the demilitarisation of the Haifa docks and port area, but is willing to consider an arrangement by which the off-loading of supplies required for the demilitarised area of Jerusalem could take place in safety.

5. The Provisional Government of Israel does not favour the demilitarisation of the Haifa refineries.

6. The Provisional Government of Israel accepts the proposal of the Mediator for a three days' extension of the Truce to permit evacuation of observers and stores even if the Truce as a whole is not prolonged.

⁶ U.N. doc. S/872, July 8, 1948. Telegram from the U.N. mediator to the Secretary-General dated July 8, 1948.

⁷ U.N. doc. S/871, July 8, 1948 (cable to the Secretary-General dated July 8, 1948, from Provisional Government of Israel):

"Have honour acknowledge receipt your telegram 2320 July 7th. Have already communicated yesterday to Mediator decision Provisional Government Israel accept prolongation truce for thirty days and extension truce for three days if other side rejects prolongation. Also expressed readiness discuss demilitarization whole city Jerusalem."

"Informed by Mediator this morning Arab Governments rejected both proposals maximum and minimum for extension truce and as regards Jerusalem accepted demilitarization principle only for old city."

"This morning 1.00 a.m. (G.M.T.), Egyptian force considering [consisting] two armoured columns and infantry launched offensive against our positions in south Palestine. Battle now in progress. While its armed forces are ready for most determined action on all fronts, Provisional Government of Israel is most interested learn what Security Council will decide in present emergency."

SHERTOK"

REPLY FROM ARAB GOVERNMENTS REJECTING 30-DAY TRUCE*

Political Committee of League of Arab States has very carefully studied proposal put forth by United Nations Mediator for prolongation of truce and has taken note of reasons which, in his view, justify such prolongation. In this connection the committee would like to recall that Arab Governments were forced to intervene militarily in Palestine on 15 May last in response to appeal of Arab inhabitants who are crushing majority of population to put an end to slaughters committed by Zionist terrorists against Arabs and humanity, to restore law and order in country and enable its inhabitants to exercise attributes of independence and right of self determination.

Indeed, it was due to this armed intervention that it was possible to save many Arab lives, avoid much destruction and further bloodshed and restore peace, law and order to areas occupied by Arab armies.

Despite the fact that Arab armies were at time masters of situation, Arab states accepted Security Council resolution of 29 May last inviting them to agree four-week truce to enable United Nations Mediator carry out his functions. It was only to demonstrate their good-will, and give further evidence their earnest desire cooperate with United Nations in efforts to arrive peaceful and just solution of Palestine problem, they did so.

However, Arab apprehension that Zionists were sure violate truce conditions proved well founded. In fact, despite these conditions Zionists continued aggression against Arabs in areas under their occupation and steadily persisted throughout truce in pursuing their policy of smuggling immigrants, arms and ammunition into country, as witnessed by United Nations observers. They have also occupied number of villages and positions not in their possession at time of cease-fire. They have furthermore intensified their aggressive activities against peace-abiding inhabitants, burning their villages and crops in various parts of country. They have committed atrocities against civilian population, plundering homes and pillaging property and forcing them work in erecting of fortifications, digging trenches and other hard labor.

All these activities, which constitute flagrant violation spirit and letter Security Council's resolution 29 May as well as of truce conditions agreed to and accepted by both sides, were duly brought attention of United Nations Mediator.

As matter of fact, these flagrant violations of truce constituted in themselves sufficient justification for immediate resumption of fighting by Arab states. However, much as they could ill afford it,

they have patiently kept peace in desire to afford United Nations Mediator ample scope carry out his endeavors to find peaceful solution. Unfortunately, solution proposed by Mediator based as it is on continuation of status quo aiming at partition and creating of Jewish state has been most disappointing to Arabs. It is evident that status quo which inspired suggestions put forth by Mediator is result of Zionist terrorist activities in which they have been encouraged by policy of hesitation and indecision adopted by former mandatory power in maintenance of law and order in country, a policy which has not only enabled Zionist gangs to amass huge forces, build strong fortifications in many parts of country and launch surprise attacks on peaceful population, but also to occupy many towns and villages and large areas without fighting.

The Mediator fully realizes that partition and establishment of a Jewish state in country lies at root of present dispute. Therefore, the suggestion to adopt status quo as basis for discussions to arrive at peaceful and permanent solution of problem undoubtedly proves to be inconsistent with principles of justice and democracy and detrimental permanent interests of country's inhabitants. Moreover, prolongation of truce under present conditions would mean perpetration of status quo which Mediator adopted as basis for his suggestion. All these factors carry us away from purpose of his Excellency's mission, which is to find peaceful and just solution to problem.

Further, the Zionists are steadily carrying on with establishment and consolidation of their state and there is no hope of their cooperation in arriving at desired peaceful settlement which was aim of truce. This is confirmed by Mediator's memorandum 5 July setting forth his comments on Arab counter proposals.

His Excellency therein declares he is fully convinced there is no possibility of persuading Jews to give up present separate cultural, political existence and accept merging in unitary state. It is not reasonable, therefore, particularly after expression of such conviction, to expect that prolongation of truce would lead to desired peaceful settlement. On contrary such prolongation would help Zionist terrorists intensify aggressive activities, a state which would aggravate already grave situation and not serve cause of peace.

Indeed, prolongation truce in this manner is detrimental to Palestine Arabs who are majority. In fact, more than quarter million civilians among Arab inhabitants of country forced under terrorist pressure, anarchy and state of insecurity wrought by Zionist gangs to abandon homes and property to become refugees in Arab countries without resources after Zionists plundered their homes and

* U.N. doc. S/876, July 9, 1948. The capitalization, spelling, and punctuation used here do not conform to the U.N. doc.

laid hands on all their property. On the contrary, as result of truce Palestine's gates have been flung wide open to unlimited Jewish immigration which, in four weeks of truce, has reached record unprecedented in annals of country. It is only natural for Zionists therefore to welcome truce prolongation because, in addition to assisting them continue acts of violence and depredations against Arab neighbors and intensify policy of unlimited Jewish immigration, it hinders restoration of peace and security.

Nothing is more welcome to Arabs who are staunch supporters of peace than avoidance of bloodshed and solution of problems by peaceful means but impossibility of persuading Jewish minority to abandon political ambitions always al-

luded to by Mediator and its determination to impose its will by force and terrorism on the overwhelming majority of inhabitants of country who form part of Arab nation coupled with its violations of conditions of truce and utilization of interval as means for intensification of aggression against Arabs and for overflowing country with continuous flow of immigrants, all these factors make it imperative for Arab states not to agree to prolongation of truce under present conditions and to take all measures necessary to bring these conditions to end. This, however, should not shut door in face of further efforts by Mediator, nor should it preclude whatever proposals his Excellency may put forth in that capacity.

STATEMENT OF MEDIATOR TO SECRETARY-GENERAL^{*}

Statement of the Mediator on the Arab and Jewish replies:

The replies from the Arab and Jewish representatives have been received. The Jewish replies were handed to me by Mr. Shertok in Tel Aviv yesterday afternoon 7 July; the Arab replies, the full text of which have not been received, were cabled to me at Haifa in paraphrase by my representative in Cairo who received them early this morning from Azzam Pasha.

These replies related to the following questions:

1. The prolongation of the Truce.
2. A temporary cease fire in Jerusalem as a means of concluding arrangements for the demilitarization of that city.
3. The demilitarization of the Haifa refineries, terminals and port area.

The Jewish reply agreed to a prolongation of the Truce for a period of thirty days from 6 a. m. GMT on Friday, 9 July on the understanding that the conditions of the prolonged Truce would be substantially the same as those governing the existing one.

The Arab reply, the translated text of which has not been received, states that the Arabs are not prepared to accept a prolongation of the Truce under present conditions in view of their experience of the past four weeks.

A request had also been presented to the parties that, in the event there was no agreement on the prolongation of the Truce, a three-day extension would be granted in order to facilitate the evacuation of the U.N. observers and their equipment. The Jewish reply accepted this proposal, the Arab reply makes no specific reference to it and it is apparently rejected. Despite this apparent rejection of the three-day extension, however all necessary steps are being immediately taken for

the safe evacuation of all U.N. observers and personnel and their equipment.

As regards the demilitarization of Jerusalem the Jewish reply has indicated a willingness to discuss this proposal and to accept an immediate cease fire in Jerusalem in order that a final decision might be reached on demilitarization since the precise meaning of the Arab reply to the proposal is not clear, a request has been made for clarification. I have also informed the Arab representatives of my willingness to meet with them in Cairo on Saturday to discuss a temporary cease fire in the whole city of Jerusalem looking toward further discussions concerning its demilitarization. I have also informed Mr. Shertok by telephone of my desire to carry on similar discussions in Tel Aviv.

As regards the Haifa proposal the replies of the two parties are so divergent as to indicate that there is no prospect of an agreement of this proposal.

I am disappointed that hostilities are to be resumed in Palestine since it appears quite impossible for me to obtain agreement of the two parties not to resume hostilities. I will now concentrate my efforts during the next few days on obtaining a cease fire in Jerusalem and its ultimate demilitarization. I will do my utmost to save Jerusalem and the Holy Places from further destruction.

It is my intention to make a full report to the Security Council at a very early date. I do not consider my mission as Mediator to be at an end as a result of this temporary set back. I will continue to work on the task assigned to me by the May 14th resolution of the General Assembly with a view to attaining at the earliest possible day a peaceful adjustment of the future situation of Palestine.

^{*} U.N. doc. S/873, July 8, 1948 (telegram from U.N. mediator dated July 8, 1948).

MEDIATOR CALLS FOR 10-DAY CEASE-FIRE TRUCE ¹⁰

The following appeal has been communicated to all parties concerned by the Mediator on 9 July 1948

I find it imperative to proceed to Lake Success immediately for the purpose of presenting to the Security Council of the United Nations a full report of my negotiations and the Arab and Jewish replies to my several proposals. I am particularly and most keenly disappointed that my proposal for a prolongation of the truce was not favourably acted upon by the Arab Representatives. In this regard I may also call attention to the resolution of the Security Council of 7 July addressing an urgent appeal to the interested parties to accept in principle the prolongation of the truce for such period as may be decided upon in consultation with the Mediator. The Security Council is now actively and urgently engaged in the consideration

of appropriate steps looking toward an assurance of peace in Palestine and it is my intention to place myself fully at the disposal of the Security Council towards this end. I plan to return to Near East from Lake Success within a matter of days for the purpose of resuming my efforts at mediation. For the above reasons in the interest of peace and the peoples of Palestine, Arabs and Jews alike, and with grave concern for the preservation of Jerusalem I make this appeal to both parties with utmost urgency to accept an unconditional cease fire in Palestine for a period of ten days extending from twelve o'clock noon G.M.T., Saturday, ten July 1948. I earnestly hope that both parties will demonstrate their sincere desire for peace in Palestine by accepting this urgent appeal and that their acceptance will be notified to me at my headquarters at Rhodes at the earliest possible moment.

COUNT BERNADOTTE

PROVISIONAL GOVERNMENT OF ISRAEL ACCEPTS 10-DAY TRUCE ¹¹

SIR: I have the honour to inform you that the Foreign Minister of the Provisional Government of Israel communicated the following message to the Mediator on the night of July 9:

"The Provisional Government of Israel accepts in principle the new cease-fire proposal for the period of ten days and is ready to issue the necessary orders as soon as it is notified by the Mediator that the proposal has been accepted by the Arab governments and authorities concerned and that

orders to cease all hostilities have actually been issued to all commanders of Arab forces operating in the field against the forces of Israel. The Provisional Government would prefer the time for the commencement of the cease-fire to be fixed in the forenoon Israel time."

I have [etc.]

AUBREY S. EBAN

*Representative of the Provisional
Government of Israel to the United Nations*

CONCLUSION FROM MEDIATOR'S REPORT TO SECURITY COUNCIL ¹²

32. There are certain stark facts in the Palestine situation which are both fundamental and inescapable. The Arabs are bitterly opposed to the partition of Palestine, the establishment of a Jewish State, and Jewish immigration. While willing to permit many of the Jews now in Palestine to remain there as a minority group in an Arab-dominated unitary state, they regard the Jews of Palestine as interlopers and a menace to the Arab world. The Arab States have demonstrated their willingness to employ armed force to the limit of their capacities against what they regard as the injustice inherent in a Jewish invasion supported by the outside world. The Arab States regard it as their solemn obligation to take up the cudgels on behalf of the Arabs of Palestine.

33. On the other hand, the Jews of Palestine are

equally as determined to have partition in Palestine, to defend and preserve the state they have established, and to keep open the gates for Jewish immigration into that state. They too have amply demonstrated their willingness and ability to fight tenaciously to defend their state against attack.

34. The *de facto* situation in Palestine today is that a Jewish Provisional Government, recognized by an increasing number of states, exists in an area of Palestine, and is exercising, without restrictions of any kind on its authority or power, all the attributes of full sovereignty, including the waging of war. This provisional government and the state it represents, were established under the cloak of authority given by the 29 November resolution of the General Assembly. Since that resolution, much has happened in Palestine, and it is not easy to undo what history has recorded. It is this *de facto* situation which the Arab states are fighting to eliminate, but the plain fact remains that it is there. It is a small state, precariously perched on a coastal shelf with its back to the sea and defiantly facing on three sides a hostile

¹⁰ U.N. doc. S/878, July 9, 1948 (telegram from the United Nations mediator dated July 9, 1948, to the Secretary-General).

¹¹ U.N. doc. S/884, July 10, 1948.

¹² Excerpts from U.N. doc. S/888, July 12, 1948.

Arab world. Its future may be assessed as uncertain, and if it survives this war its security will be likely to present a serious problem for a good time to come. Its peoples, other than the Arabs in its midst whose large numbers have been at least temporarily reduced by more than half by their flight from Jewish occupied areas, are intensely nationalistic and apparently fearless in the face of the Arab threat.

35. A first essential in Palestine today is an immediate cessation of hostilities. But that is only a first step. For the question must be answered, at some stage, whether the international community is willing to tolerate resort to armed force as the means for settlement of the Palestine issue. Willingness to do this could well involve many risks for the peace of the entire Near East, if not for the larger world. In this regard a distinction may properly be drawn between forbidding the use of force in Palestine and making it unprofitable to use force, on the one hand, and enforcing a political settlement, on the other. Ending the use of force in Palestine will in fact, make possible an eventual peaceful settlement.

36. For many and compelling reasons the international community has a vested interest in a peaceful settlement of the Palestine problem. Viewed realistically, the situation is as follows. If armed force is forbidden in the settlement of the problem, and it is made prohibitively unprofitable for the Arab states to employ it, there will be in Palestine a Jewish community with a separate cultural and political existence, a Jewish state, whose strength and prosperity and capacity for economic and social development, by the admission of its own leaders, must largely depend on its ability to cultivate friendly relations with its Arab neighbours. If the employment of armed force is not forbidden, the issue of the Jewish state in Palestine will be settled on the field of battle. The decision which may be taken with regard to the resort to armed force in Palestine will determine the immediate prospects for further effective mediation over the settlement. In this vital regard the decisions of the Security Council on the matter will be controlling.

PROVISIONAL GOVERNMENT OF ISRAEL NOTES EXPIRATION OF TRUCE AGREEMENT ¹⁸

11 July 1948

1. On 3 and 5 July 1948, the United Nations Mediator addressed a communication (S/865) to the Provisional Government of Israel and the Governments of the Arab States. In the course of that communication, the Mediator wrote:

"The expiration of the date of the truce on 9 July is now imminent. The parties to the truce must answer the question whether . . . they will again resort to armed conflict."

The Provisional Government of Israel expressed its readiness to agree to a further prolongation of the truce agreement (S/872, 8 July). The Arab States informed the Mediator on 9 July that they find it:

"imperative not to agree to a prolongation of the truce under present conditions and to take all measures necessary to bring these conditions to an end." (S/876)

2. In his cablegram of 5 July addressed to both parties (S/865), the Mediator wrote:

"There can be little doubt that a decision to resume fighting in Palestine will be universally condemned and that the party or parties to take such a decision will be assuming a responsibility which will be viewed by the world with the utmost gravity."

Despite this appeal, and the resolution of the Security Council proposed by the United Kingdom on 6 July 1948 (S/867), the Arab States have rejected the prolongation of the truce, resumed

fighting, and thereby assumed the responsibility to which the Mediator referred.

3. It is therefore clear to the Provisional Government of Israel that the truce initiated by the Security Council's resolution of 29 May 1948 has expired, and has not been prolonged. The Provisional Government of Israel therefore regards itself as entirely free from all its conditions and terms.

4. In this connection, may I refer to the proceedings of the Security Council at its 320th meeting on 15 June 1948, when it was decided to:

"call to the attention of Member States as well as to that of non-members, if possible, paragraph 6 of the Truce Proposals and to request them to extend co-operation and assistance to the United Nations Mediator in the implementation of the provisions of the truce proposals."

The Provisional Government of Israel submits that it is now necessary for the Secretary-General to inform all Governments addressed by the Council on 15 June that the period of the Truce agreement has expired and has not been renewed, with the result that the Security Council's request to them to assist in implementing the provisions of the truce proposals is no longer in force.

AUBREY S. EBAN

*Representative of the Provisional
Government of Israel to the United Nations*

¹⁸ U.N. doc. S/889, July 12, 1948 (letter from Provisional Government of Israel dated July 11, 1948, to the President of the Security Council).

U.S. Urges Security Council Action for Prolongation of Truce

REMARKS BY PHILIP C. JESSUP¹

Acting U.S. Representative at the Seat of the United Nations

We listened this morning to the report of a man who has been carrying out courageously a most difficult assignment.

The United Nations mediator's report speaks for itself.

This is not the time for me to attempt to make a flowery speech. It is the time for action by the Security Council.

Fighting is now going on in Palestine.

It is going on because one party has not agreed to any suggestion or appeal to avoid fighting, although the other party—the Provisional Government of Israel—declared its readiness to accept each and every suggestion and appeal.

The Security Council must face its responsibility.

The general, the practically universal opinion, is that there is a threat to the peace in Palestine within the meaning of article 39 of the Charter. I mention article 39, the first article of chapter VII.

The Security Council should recognize this fact.

I repeat: Fighting is going on in Palestine. It must stop. The Security Council, in discharge of its duty under article 40, should order it to stop.

The Security Council should call attention to the consequences of a failure to stop fighting. Such a warning would clearly have particular meaning for that party which has so far rejected all appeals.

United Nations machinery must be available to supervise the truce. It is obvious that this machinery should be under the direction of the United Nations mediator appointed by the General Assembly, with the assistance of the Truce Commission appointed by the Security Council.

The City of Jerusalem is of special concern to mankind. The United Nations has recognized this fact. No mechanical difficulty applicable to communication with military forces scattered over a wide front exists in Jerusalem. The Security Council should order an unconditional cease-fire in Jerusalem to take effect 24 hours from the time of the resolution which I hope the Security Council will adopt this afternoon so that the destruction of Jerusalem will come to an end.

The Security Council, in ordering, under chapter VII of the Charter, the observance of a truce, should make it clear that it insists that the Palestine problem is not to be solved by force.

The Security Council should therefore decide that the truce shall remain in effect until the future situation in Palestine is adjusted by peaceful means.

The United States has embodied these views in a draft resolution which we have handed to the Secretariat and which I hope has now been distributed to the members of the Council. With your permission I shall now read the text of that resolution.²

TEXT OF SECURITY COUNCIL RESOLUTION³

The Security Council

Taking into consideration that the Provisional Government of Israel has indicated its acceptance in principle of a prolongation of the truce in Palestine; that the States members of the Arab League have rejected successive appeals of the United Nations Mediator, and of the Security

Council in its resolution of 7 July 1948, for the prolongation of the truce in Palestine; and that there has consequently developed a renewal of hostilities in Palestine;

Determines that the situation in Palestine constitutes a threat to the peace within the meaning of Article 39 of the Charter;

Orders the Governments and authorities concerned, pursuant to Article 40 of the Charter of the United Nations, to desist from further military action and to this end to issue cease-fire orders to their military and para-military forces, to take effect at a time to be determined by the Mediator, but in any event not later than three days from the date of the adoption of this resolution;

¹ Made in the Security Council on July 13, 1948, and released to the press by the U.S. Mission to the United Nations on the same date.

² U.N. doc. S/890, July 13, 1948. Not here printed.

³ U.N. doc. S/902, adopted on July 15, 1948. The last three paragraphs are an addition to the resolution presented by the U.S. Variations appear in paragraphs five and eight of the Security Council resolution as compared with the U.S. draft.

Consulate General at Jerusalem To Be Guarded by Marine Detachment

[Released to the press July 17]

At the request of the Department of State, with the approval of the President, the Department of the Navy has ordered a squad of 12 marines, under the command of a noncommissioned officer, detached from the U.S. Naval Forces in the Mediterranean to guard the U.S. Consulate General at Jerusalem.

These men are being assigned as consular guards in accordance with authority contained in the Foreign Service Act of 1946. Marines are already serving as guards at the American Embassies at London, Paris, and Rome.

Admiral Richard L. Conolly, U.S.N., Commander-in-Chief of U.S. Naval Forces, Eastern Atlantic and Mediterranean, has been ordered by Admiral Louis E. Denfeld, Chief of Naval Operations, to expedite the arrival of the marines at Jerusalem.

The marines are being ordered into Jerusalem to provide protection and security for representatives of the U.S. Government and for U.S. Government property.

U.S. Contribution to U.N. for 1948

A United States Treasury check for \$13,841,032, representing the full amount of the United States contribution to United Nations operating expenses for the 1948 financial year, was handed July 8 to Byron Price, Assistant Secretary-General of the United Nations, by Philip C. Jessup, Acting U.S. Representative at the seat of the United Nations. The transfer of funds took place at the Manhattan offices of the United Nations, 405 East 42d Street, New York City, at 11:30 a.m.

The United States share of the United Nations operating expenses this year is 39.89 percent. The 1948 U.N. budget, as approved by the General Assembly at its last regular session, totals \$34,825,195, a small part of which was to be met by casual income, and the balance of about \$34,000,000 to be defrayed by contributions from member nations based on an ability-to-pay ratio determined by prewar national income, per-capita income, and the effects of the war on national productivity.

The contribution made by the United States last year was also at the rate of 39.89 percent. In accepting this rate for one more year, the U.S. Delegation to the General Assembly reiterated the United States conviction that in an organization of sovereign equals no single member should in normal times pay more than one third of the administrative expenses.

Declares that failure by any of the Governments or authorities concerned to comply with the preceding paragraph of this resolution would demonstrate the existence of a breach of the peace within the meaning of Article 39 of the Charter requiring immediate consideration by the Security Council with a view to such further action under Chapter VII of the Charter as may be decided upon by the Council;

Calls upon all Governments and authorities concerned to continue to co-operate with the Mediator with a view to the maintenance of peace in Palestine in conformity with the resolution adopted by the Security Council on 29 May 1948;

Orders as a matter of special and urgent necessity an immediate and unconditional cease-fire in the City of Jerusalem to take effect 24 hours from the time of the adoption of this resolution, and instructs the Truce Commission to taken any necessary steps to make this cease-fire effective.

Instructs the Mediator to continue his efforts to bring about the demilitarization of the City of Jerusalem, without prejudice to the future political status of Jerusalem, and to assure the protection of and access to the Holy Places, religious buildings and sites in Palestine;

Instructs the Mediator to supervise the observance of the truce and to establish procedures for examining alleged breaches of the truce since 11 June 1948, authorizes him to deal with breaches so far as it is within his capacity to do so by appropriate local action, and requests him to keep the Security Council currently informed concerning the operation of the truce and when necessary to take appropriate action;

Decides that, subject to further decision by the Security Council or the General Assembly, the truce shall remain in force, in accordance with the present resolution and with that of 29 May 1948, until a peaceful adjustment of the future situation of Palestine is reached;

Reiterates the appeal to the parties contained in the last paragraph of its resolution of 22 May and urges upon the parties that they continue conversations with the Mediator in a spirit of conciliation and mutual concession in order that all points under dispute may be settled peacefully;

Requests the Secretary-General to provide the Mediator with the necessary staff and facilities to assist in carrying out the functions assigned to him under the resolution of the General Assembly of 14 May, and under this resolution; and

Requests that the Secretary-General make appropriate arrangements to provide necessary funds to meet the obligations arising from this resolution.

In BULLETIN of July 18, 1948, footnote 58 on page 78, second column, line 4, should read: "she had no expansionist claims."

The United States in the United Nations

Children's Fund

The Executive Committee of the U.N. International Children's Emergency Fund, which began its session in Geneva on July 16, has reported a plan to spend about \$83,000,000 during 1949 in 12 European countries and Asia. The plan also calls for an extension of limited UNICEF aid to children in Germany, as well as an anti-tuberculosis campaign.

Nutrition Conference

The United States is one of the 14 countries represented at the Latin American Nutrition Conference convened on July 18 at Montevideo by the U.N. Food and Agriculture Organization. This conference is the result of a recommendation made by the FAO conference which met in Geneva last summer. The conference is currently engaged in studying and making recommendations on the specific problems involved in raising the nutritional standards of the Latin American countries.

Privileges and Immunities

Secretary of State Marshall told a July 21 press conference that he did not think the security of the United States was endangered by the presence of aliens connected with the United Nations whose ideologies and beliefs differ from those of the United States.

Mr. Marshall's statement was made in response to reporters' questions about testimony given a Senate Subcommittee by an officer of the State Department's Visa Division regarding application of U.S. immigration laws to U.N. personnel.

Mr. Marshall recalled that U.N. Headquarters had been established in the United States at the invitation of the U.S. Government with the full support of Congress and the American people. It is obvious, he said, that the U.N. could not operate if its personnel were excluded from the United States.

The Secretary said that existing laws and procedures provide adequate remedies in the event that any individual connected with the U.N. were found to be acting against the security of the United States. No such case has been raised, he added.

Charles M. Hulten, Deputy Assistant Secretary of State for Administration, told the Senate Subcommittee July 21 that the United Nations has cooperated completely with the U.S. Government in working out agreements and procedures designed to reconcile U.N. privileges with U.S. security.

Trusteeship

The Trusteeship Council completed on July 22 an extended discussion of the Australian report on administration of the Trust Territory of New Guinea and referred to a Drafting Committee the formulation of the Council's critique of the report. Other Drafting Committees are completing formulations of the Council's reactions to the United Kingdom report on Tanganyika and the Belgian report on Ruanda-Urundi.

The Council was next to review information supplied by the Union of South Africa on its administration of Southwest Africa, a League of Nations Mandate which the Union has refused to place under United Nations Trusteeship.

Freedom of Information

"For governments to arrogate unto themselves the power to determine what is true and what false, what is friendly and what unfriendly, would mark the end of the free press", says the concluding sentence of a United States report to the U.N. on implementation of the General Assembly's resolution of November 15, 1947, regarding "false and distorted reports".

Such reports were asked of all U.N. members by Secretary-General Lie in accordance with the General Assembly's resolution of October 31, 1947, which directed the Secretary-General to obtain reports from members on implementation of the Assembly's resolutions in the economic and social field.

Asserting that the use of governmental power to combat, by censorship or suppression, reports likely to injure friendly relations between states would endanger freedom of information, the U.S. report reasserts the position taken by the United States at the Conference of Freedom of Information held in Geneva in March and April 1948, i.e., that "the most effective means of combating the diffusion of false or distorted reports is to assure the availability of a multiplicity of unfettered sources of news and information."

The report suggests that ancillary means of combating distorted news should include: encouraging nonofficial organizations of news personnel to develop higher standards, facilitating the training and exchange of journalists, developing the intergovernmental right of official correction, and establishing continuing United Nations machinery to deal with information problems.

The report noted that the Department of State had sent copies of the report of the U.S. Delegation

tion to the Geneva conference to some 1,800 persons engaged in collection and dissemination of information.

Economic and Social Council

At the conclusion of the first week of its Seventh Session and its first to be held in Europe, the Economic and Social Council established its plan of work for dealing with the 51 items on its provisional agenda, determining those items which should be dropped, those which should be referred directly to the Plenary Session, and those which should be the subject of prior Committee consideration. Among the items deleted from consideration at this session were those dealing with the forced-labor question, an item proposed by the American Federation of Labor, and an item dealing with a series of charges against 11 countries for infringing trade-union rights, proposed by the World Federation of Trade Unions. The U.S. Representative opposed in principle re-deferring the forced-labor item which had already been postponed from the Sixth Session of the Council, pointing out that Ecosoc could not avoid all political debate.

The Council also proceeded to set up three Committees of the Whole, an Economic Committee, a Social Committee and a Human Rights Committee, and two 12-member committees, a Coordination Committee and a Procedure and Organization Committee, to deal with the agenda items not referred directly to the Plenary Session.

In the Economic Committee, the Council approved proposals for convoking a conference to draft a new world convention on highway and

auto transport. In the Social Committee, during a discussion of a draft protocol bringing under control narcotic drugs outside the scope of the 1931 narcotics convention, the U.S. Representative presented a formal declaration that the United States at the time of accession to the protocol will extend the convention to all territories for whose foreign relations the United States is responsible. The U.S.S.R. Representative had objected that the proposed protocol was only permissive in colonial territories. On July 23, the Council unanimously approved the decision of the World Health Assembly that Geneva be made the permanent headquarters of the World Health Organization, subject to General Assembly approval.

Health Assembly

The World Health Assembly ended its first session in Geneva on July 24 after drawing up a program for creation of the first single world-wide health body in history. The Assembly decided that top priority should be given to programs in six fields: malaria, tuberculosis, venereal disease, maternal and child health, nutrition, and environmental hygiene, which includes rural hygiene, housing, and sanitation. The Assembly also approved the establishment of an international influenza center and the carrying out of a world survey to discover ways of increasing the production of penicillin and insulin. Dr. Brock Chisholm, Executive Secretary of the Who Interim Commission, was elected first Director-General of the permanent organization and Geneva was chosen as the permanent headquarters of the World Health Organization.

Relationship of Economic Commission for Europe to European Recovery Program

STATEMENT BY ASSISTANT SECRETARY THORP

U.S. Representative on Economic and Social Council

[Released to the press by the U.S. Mission to the U.N. July 21]

Mr. W. Averell Harriman, the U.S. Special Representative with special responsibilities for the European Recovery Program, has recently been named by President Truman as the U.S. Representative to the Economic Commission for Europe. The assignment of this additional responsibility to Mr. Harriman should not only help this Government to coordinate its own programs of assistance to Europe but also contribute to the effective solution by the United Nations of the urgent economic problems confronting the European countries.

The Economic Commission for Europe is a commission of the Economic and Social Council of the United Nations with headquarters in Geneva. It was established in the spring of 1947, following a field survey by the United Nations Temporary Sub-Commission on the Economic Reconstruction of Devastated Areas of which the United States was a member.

The terms of reference of the Commission state, among other things, that it is to—

“Initiate and participate in measures for facilitating concerted action for the economic reconstruction of Europe, for raising the level of European economic activity, and for maintaining and strengthening the economic relations of the European countries both among themselves and with other countries of the world.”

All the European members of the United Nations and the United States are members of the Commission. All other European countries, with the exception of Spain have been invited to participate in its work in a consultative capacity, and all the countries of Europe, except Spain, have attended one or more meetings of the Commission or its Committees.

It is generally agreed that the Commission has thus far made notable progress in a number of fields, in particular in recommending allocation of coal in order to insure the equitable distribution of one of the commodities most basic to European recovery which until recently has been in critical

short supply; in the examination of problems relating to the increased production of steel; in the freeing-up and rationalization of the European transport system; and in the analysis of the nature of the underlying problems of European recovery. It has also done useful but not such outstanding work in connection with the distribution of timber—an essential of the rebuilding programs of the European countries—the development of electric power resources, the production of fertilizers, and the examination of factors hindering the production of various critical components of a wide variety of industries.

This substantive work of the Economic Commission for Europe is clearly directly related to the European Recovery Program and the objective of the early re-establishment of a European economy capable of assuring an adequate standard of living without recourse to abnormal outside assistance. This direct relationship has been recognized from the beginning by the countries participating in the European Recovery Program. For example, those countries, in the Paris report of last summer drawn up in response to Mr. Marshall's Harvard address, indicated their desire and intent to use the Commission, where possible, as the forum for the consideration of common economic problems and, in particular, for the consideration of those problems which were of mutual interest to eastern and western Europe. This close relationship between the ECE and the European Recovery Program was also recognized by the Congress of the United States. Accordingly, the Economic Cooperation Act provided that the U.S. Special Representative in Europe might also be designated as the U.S. Representative on the Economic Commission for Europe. In so designating Mr. Harriman, it is our hope that the objective of economic recovery in Europe can be more rapidly attained by full utilization of the resources of the Commission and that those problems which are of concern to all European countries, and which all European countries are prepared to examine together, can be solved through mutual cooperation within the framework of the United Nations.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

Progress on International Maritime Safety Measures

by Lt. Lawrence D. Bradley, Jr.

Of singular interest to all those concerned with the sea and with transportation by water should be the recent Conference on Safety of Life at Sea, held at London April-June 10, 1948. The meeting, attended by delegations from 30 nations, was outstanding in the high degree of cordiality and cooperative effort demonstrated in arriving at the most practicable solution of the various problems on the agenda. Much was accomplished in a comparatively short time, and a substantial contribution was made to increased safety of ocean transportation.

The Conference drew up a new convention on safety of life at sea which is proposed to abrogate and replace that of 1929. The proposed convention will require ratification or acceptance by the United States in accordance with its constitutional procedures and will come into effect on January 1, 1951, if by that time it has been ratified by 15 nations, seven of which must possess merchant fleets of over one million gross tons. The convention is a short document setting forth the contractual obligations of the signatory governments. Appended thereto and forming an integral part are the technical regulations having to do with maritime safety.

Preparations by the United States for the recent conference were commenced at an early date. In general, the 1929 convention served its purpose well and had been accepted by a total of 43 nations. Nevertheless, with the advances in nautical science and improved techniques accelerated during World War II, it seemed obvious that a conference could be convoked as soon as possible after the close of hostilities. Such a recommendation was made to the Secretary of State in 1943 by a special shipping committee organized by the Department of State.

In accordance with a request of the Secretary of State, the Commandant of the United States Coast Guard undertook to coordinate the work of drawing up a set of proposals for the revision of the 1929 convention. To develop the proposals the Commandant organized early in 1945 a number of committees upon which served 235 representatives of interested Government agencies and all branches of the maritime industry.

While the work relating directly to maritime safety measures was progressing, steps toward the eventual establishment of the Intergovernmental

Maritime Consultative Organization were taking place. The proposals put forward by the United States Delegation at the London conference were in accord with and fully took into consideration the parallel development of the maritime organization which was agreed upon at the conference held in Geneva in February and March of this year under the auspices of the United Nations.

A delegation of 35 persons was appointed to represent the United States at the London conference. It was headed by Admiral Joseph F. Farley, Commandant, United States Coast Guard, while Jesse E. Saugstad, Chief, Shipping Division, Department of State, served as Vice Chairman. The Delegation was made up of representatives of the Department of State, Coast Guard, Navy, Maritime Commission, Federal Communications Commission, Weather Bureau, National Federation of American Shipping, Shipbuilder's Council of America, American Bureau of Shipping, Society of Naval Architects and Marine Engineers, American Federation of Labor, and Congress of Industrial Organizations.

Delegations from 30 countries attended the Conference, namely, Argentina, Australia, Belgium, Brazil, Canada, Chile, China, Denmark, Egypt, Finland, France, Greece, Iceland, India, Ireland, Italy, Netherlands, New Zealand, Norway, Pakistan, Panama, Republic of the Philippines, Poland, Portugal, Sweden, Union of South Africa, United Kingdom, Union of Soviet Socialist Republics, United States, and Yugoslavia. In addition, observers were present from Ceylon, Mexico, Rumania, Turkey, and from the following international organizations: International Civil Aviation Organization, International Hydrographic Bureau, International Labor Office, International Meteorological Office, International Telecommunication Union, the United Nations, and the World Health Organization.

At the first plenary session on April 23, the Right Honorable Sir John Anderson, United Kingdom, and Admiral Joseph F. Farley, United States, were elected Chairman and Vice Chairman of the Conference, respectively.

In view of the extensive field to be covered in the deliberations of the Conference, it was agreed to apportion the work by setting up a number of committees. Following the precedent of the 1929 conference, committees were established to

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deal with the five main divisions into which the subject matter to be considered conveniently segregated itself, namely, construction, lifesaving appliances, radio, safety of navigation, and general provisions.

The deliberations of the committees extended over a six-week period, after which each committee submitted to the Conference its report and recommendations for modifications and additions to the 1929 convention. As approved by the Conference the changes provide generally for an improved degree of safety for passenger vessels and a considerable extension of safety provisions to cargo vessels.

With respect to passenger vessels, provision is made for improved subdivision requirements by taking into account the stability of the vessel in an assumed condition of damage. Alternative methods are provided for increased protection of vessels in case of fire. Special provisions are made to cover the more important electrical installations on board passenger vessels.

The provisions for lifesaving appliances, which include lifeboats, life rafts, life buoys, and the like, have been modernized and improved and have been extended to cargo vessels as well as to passenger vessels. An improved line-throwing device is provided for, and regular boat and fire drills are required.

In the field of radio the provisions of the 1929 convention that all passenger and cargo vessels of over 1,600 gross tons shall, with some minor exceptions, be equipped with radiotelegraphy are continued. In addition cargo vessels between 500 gross tons and 1,600 gross tons must be equipped either with radiotelegraph or radiotelephone. The technical requirements for the auto alarm have been improved. Radio direction finders are made mandatory within a specified period upon all passenger vessels and upon cargo vessels of over 1,600 gross tons. Provision has also been made for a continuing study of radionic navigation equipment and aids to navigation with the view to standardization and, when practicable, for international adoption.

General principles for the international regulation of especially dangerous cargoes have been adopted, and means have been provided for future study of this important subject, the need for which was brought out sharply by the Texas City disaster. Necessary principles for the safe carriage of grain are laid down.

Those provisions contributing to the general safety of navigation, such as danger messages, warning ships of storms and of dangers to navigation, supplying meteorological information to improve weather forecasts, misuse of distress signals, and procedures to be followed in case of a vessel in distress, were reviewed and brought up to date or otherwise improved. The obligation on the master of a vessel to proceed to the assist-

ance of a vessel in distress has been extended to require him to go to the rescue of disabled aircraft and survival craft as well.

Provision for the maintenance of the international ice patrol has been continued, but arrangement has been made for the redistribution among contributing nations of the cost of this service so that it will bear a reasonable relation to the benefits derived therefrom by the respective nations.

The final act accompanying the convention makes numerous recommendations, among which is the adoption by nations of modified regulations for the prevention of collisions at sea or, as they are generally called, the rules of the road. The present rules have been in effect, with few modifications, since 1889, and various attempts have been made to secure their improvement. The proposals attached to the final act will substantially meet this need.

The Conference considered the unprecedented advancements in the field of electronic navigation aids, such as radar and position-fixing systems which were developed for war purposes and are now available for use in merchant ships. While recognizing that the recent advance in this field is of great service to shipping, it was agreed that currently it is inopportune to require that ships be provided with such apparatus. However, the Conference did make a recommendation adopting the specifications for certain characteristics of radar agreed upon at the International Meeting on Marine Radio Aids to Navigation at New York City and New London, Connecticut, in 1947 and urging governments to encourage the development, manufacture, and installation of radar aboard their national vessels.

At the final plenary session on the evening of June 10, all delegations present at the Conference signed the convention and final act with the exception of Panama, the Soviet Union, and Yugoslavia. The Soviet and Yugoslav Delegations announced that they were unable to sign the proposed convention as drafted by the Conference without further advice from their respective Governments. In order not to deprive those delegations which had participated and contributed to the work of the Conference of an opportunity of being included among the original signatories, it was voted that the convention should remain open for signature for a period of one month.

While it is premature to set forth the effect of the Conference decisions on United States maritime interests in matters of merchant-vessel construction and equipment, United States vessels will be virtually unaffected by the regulations drawn up at the Conference. As particularly high standards are already established for its national vessels under United States law and practices, the instances in which the proposed regulations will make for increased safety on United States mer-

hant vessels are comparatively few. Several features of lifeboat and lifesaving appliances have been improved upon, and certain classes of vessels heretofore not included domestically will be required to be equipped with radio direction finders and radio telephones.

On the other hand, prevailing standards for the construction and equipment of foreign vessels will be appreciably raised by the proposed regulations. Thus, on the coming into force of the convention and regulations, United States citizens traveling on foreign vessels will be insured of increased security.

In several directions improvements have been made in the regulations relating to general navigation facilities and procedures which will enhance the operation safety of United States vessels. Provisions are made looking toward improved ship-to-ship rescue procedure, lifesaving signals, meteorological services, aids to navigation, search and rescue facilities, and regulations for the prevention of collisions at sea.

The London conference is probably the last of the so-called *ad hoc* diplomatic conferences dealing with maritime safety. Conferences such as those which were held in 1889, 1914, 1929, and 1948 will no longer be needed with the coming

into being of the Intergovernmental Maritime Consultative Organization as a specialized agency of the United Nations, proposed at Geneva in February and March 1948. When formed that Organization will provide the machinery for dealing with proposed amendments to the maritime-safety convention and regulations. It will enable the early circulation of proposals and the consideration thereof by the assembly of the Organization at its regular biennial meetings. As all members of the Organization have representation on the assembly, consideration equivalent to that of the *ad hoc* conferences can be given the proposals with the same authority to recommend to governments changes in the maritime-safety code. In addition it is contemplated that the Organization shall become the repository or central secretariat of safety-at-sea affairs. In providing for the transfer to the Organization of such functions and responsibilities, the proposed convention opens the way to more logical, consistent, and thorough treatment of international maritime-safety matters in the future. It should have the effect not only of narrowing differences between United States standards and those of foreign-flag vessels but perhaps of advancing the minimum standards of all shipping.

U. S. DELEGATIONS TO INTERNATIONAL CONFERENCES

Poliomyelitis

The Department of State announced on July 12 the composition of the United States Delegation to the First International Poliomyelitis Conference. This Conference, which is being held under the auspices of the National Foundation for Infantile Paralysis, is scheduled to convene at New York, N. Y., July 12-17, 1948. The United States Delegation is as follows:

Chairman

Dr. Rolla E. Dyer, Assistant Surgeon General, United States Public Health Service; Director, National Institute of Health, Bethesda, Maryland

Delegates

Dr. Thomas M. Anderson, Assistant to the Chief, Orthopedic Surgery, Department of Medicine and Surgery, Veterans Administration
 Dr. Pearce Bailey, Assistant Chief, Neuropsychiatry Division, Department of Medicine and Surgery, Veterans Administration
 Dr. Harriett M. Bartlett, Director, Medical Social Work, School of Social Work, Simmons College, Boston
 Dr. Robert W. Boyle, Chief Medical Officer, Veterans Administration Hospital, Fort Thomas, Kentucky
 Dr. George R. Callender, Chief, Laboratory Section, Department of Medicine and Surgery, Veterans Administration
 Dr. Carl C. Dauer, epidemiologist, District of Columbia Health Department

Rear Adm. Arthur H. Dearing, District Medical Officer, Third Naval District, United States Navy
 Maj. Louis C. Kossuth, Chief, Preventive Medicine Branch, Department of the Air Force
 Col. Don Longfellow, Chief, Preventive Medicine Division, Office of the Surgeon General, Department of the Army
 Dr. John R. Paul, professor of preventive medicine, Yale University, New Haven
 Dr. Harold A. Sofield, Chief Surgeon General, Shriners' Hospital for Crippled Children, Chicago
 Dr. Samuel M. Wishik, Chief, Program Planning Section, Health Services Division, Children's Bureau, Social Security Administration

The National Foundation for Infantile Paralysis is sponsoring the Conference in celebration of its tenth anniversary. The purpose of the Conference is to coordinate and evaluate the progress that medical science has made in the last decade in the study of poliomyelitis. It will be the first time that information on this disease, its treatment, and the research being done in the field will be exchanged internationally on such an extensive basis.

The program for the Conference will include the presentation of scientific papers and scientific and technical exhibits showing the progress in research and treatment of poliomyelitis.

Invitations to attend the Conference have been transmitted to more than 60 countries. A delegate from each of the countries represented will present a summary of the poliomyelitis problem in his country.

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ECOSOC

The Department of State announced on July 12 the composition of the United States Delegation to the seventh session of the United Nations Economic and Social Council, convening in Geneva July 19, 1948, for approximately five weeks. The United States Delegation is as follows:

U.S. Representative

Willard L. Thorp, Assistant Secretary of State for economic affairs

Deputy U.S. Representatives

Leroy D. Stinebower, Special Assistant to the Assistant Secretary of State for economic affairs

Walter M. Kotschnig, Chief, Division of United Nations Economic and Social Affairs, Department of State

Advisers

Kathleen Bell, Division of United Nations Economic and Social Affairs, Department of State

Philip Burnett, Division of United Nations Economic and Social Affairs, Department of State

William F. Busser, Second Secretary of Legation, Vienna

Joseph D. Coppock, Adviser, Office of International Trade Policy, Department of State

L. Randolph Higgs, Counselor of Legation, Bern

Louis K. Hyde, Jr., Adviser on Economic and Social Council Affairs, U.S. Mission to the United Nations, New York

Frances K. Kernohan, Division of International Labor, Social and Health Affairs, Department of State

Lewis L. Lorwin, Economic Adviser, Office of International Trade, Department of Commerce

Frieda S. Miller, Director, Women's Bureau, Department of Labor

Herzel H. E. Plaine, Office of the Assistant Solicitor General

Paul R. Porter, Alternate U.S. Representative, Economic Commission for Europe, Geneva

Harry N. Rosenfield, Assistant to the Administrator, Federal Security Agency

Psychology

The Department of State announced on July 14 the composition of the United States Delegation to the Twelfth International Congress of Psychology scheduled to be held at Edinburgh July 23-29, 1948. The United States Delegation is as follows:

Chairman

Leonard Carmichael, President, Tufts College, Medford, Mass.

Delegates

Joseph M. Bobbitt, Chief Psychologist, Office of Program Planning, Mental Hygiene Division, Federal Security Agency

A. Hadley Cantril, professor of psychology, Princeton University, Princeton, N. J.

Herbert S. Langfeld, Stuart professor of psychology, emeritus, Princeton University, Princeton, N. J.

Louis L. Thurstone, Charles F. Grey distinguished service professor of psychology, University of Chicago, Chicago, Ill.

Morris S. Viteles, professor of psychology, University of Pennsylvania, Philadelphia, Pa.

A program of symposia, lectures, discussions,

and presentation of papers has been arranged. The papers to be presented will be concerned with the following subjects: cerebral function, sensation and perception, learning, child psychology, thought processes and language, mental testing and statistics, personality, social psychology, industrial psychology, and clinical psychology.

Rehabilitation of Cripples

The Department of State announced on July 14 the composition of the United States Delegation to the First Inter-American Conference for the Rehabilitation of Cripples scheduled to be held at Mexico City, July 18-24, 1948. The United States Delegation is as follows:

Chairman

Mr. Michael J. Shortley, Director, Office of Vocational Rehabilitation, Federal Security Agency

Vice Chairman

Col. Harold B. Luscombe, M.C., U.S.A., Chief, Physical Medicine Service, William Beaumont General Hospital, El Paso, Tex.

Delegates

Mr. Joseph J. Brown, State Director of Vocational Rehabilitation, Austin, Tex.

Comdr. Thomas John Canty, M.C., U.S.N., United States Naval Hospital, Mare Island, Vallejo, Calif.

Dr. Francis J. Cummings, President, American Association of Workers for the Blind, Wilmington, Del.

Dr. Edwin F. Daily, Director, Division of Health Services, Children's Bureau, Social Security Administration, Federal Security Agency

Dr. Merle E. Frampton, Vice Chairman of the President's Committee on National Employment of the Physically Handicapped Week, Office of the Secretary of Labor

Dr. Henry H. Kessler, President, National Council on Rehabilitation, New York, N. Y.

Dr. Romaine Mackie, Specialist, Schools for Physically Handicapped, Division of Elementary Education, Federal Security Agency

Lt. Col. Benjamin A. Strickland, Jr., M.C., U.S.A., Chief, Physical Medicine Consultants Division, Office of the Surgeon General

The conference is being organized by the International Society for the Welfare of Cripples and will be held under the sponsorship of the Department of Health and Welfare of the Government of Mexico.

The purposes of the conference are: (1) to become acquainted with the condition of cripples and existing means for their rehabilitation in each of the countries of this continent; and (2) to organize a commission, on which all countries will be represented, for the purpose of formulating a five-year program to initiate or further the work of rehabilitation in each country. The subjects to be discussed at the conference will include such aspects of the problem of rehabilitation of cripples as (1) legislation; (2) means of securing the interest and help of the public; (3) adoption of a minimum five-year program as a guide for

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the countries of this continent; (4) special organization of services and scientific discussions concerning medical care; and (5) education, pre-vocational training, and employment of cripples.

PUBLICATIONS

"The International Control of Atomic Energy: Policy at the Crossroads" Released

[Released to the press July 18]

The Department of State released on July 18 a document summarizing the efforts made during the past two years by this Government and other governments to obtain the adoption of an effective system for the international control of atomic energy. This publication is entitled *Policy at the Crossroads* (publication 3161) and was prepared in the Office of Public Affairs. Its purpose and scope are indicated in a foreword by the Secretary of State:

"The Department of State, in keeping with the objective that a democratic foreign policy should rely on an informed citizenry, presents in this volume the record of United States participation in the United Nations Atomic Energy Commission since October 1946. Together with the previous volume, entitled *Growth of a Policy* [publication 2702], it constitutes a full record of this Government's efforts in this field since the advent of atomic energy."

Policy at the Crossroads opens with a section entitled "The National Setting" which emphasizes the peaceful applications of atomic energy achieved by the United States Atomic Energy Commission and connects the broad aspects of scientific research, public understanding, and national security with the international control problem. A narrative record of the work in the UNAEC follows. The issues and discussions that found expression in the Commission's first two reports to the Security Council are documented in detail. A section analyzing the six major issues which separate majority and minority members of the Commission precedes an account of the continuing controversies that led to the submission of the Third Report and to the recommendation that the work of the Commission be suspended.

The title *Policy at the Crossroads* expresses concisely the world's position at the end of nearly three years of international negotiation. The hopeful sequence of action which began with President Truman's message to Congress on atomic energy in 1945 has come to an impasse. As shown by the record, this impasse is the result of the Soviet Union's unwillingness or inability to cooperate on an effective plan of control. An im-

portant section of the present document is entitled "The Deadlocked Committees". It gives in detail some of the Soviet Union's obstructive tactics in the UNAEC and notes the specific failures of the Soviets to recognize the special nature of the threat which the uncontrolled production of nuclear fuel would have for modern world society.

This publication highlights the conclusion reached in the UNAEC's Third Report, that agreement on effective measures for the control of atomic energy is dependent on cooperation in the broader fields of policy. Both the Soviet case and the concrete achievement of the majority members of the Commission are presented fully, however, and the account closes with a statement by the United States Deputy Representative to the Commission, Frederick H. Osborn, "... we have not come to the end of the road on the control of atomic energy. Rather we have blazed a trail which leads to a known destination and our problem now is to get the Soviet Union to follow that trail along with the rest of us."

The policy of the United States has been that of full cooperation with the other members of the Commission. The will to cooperation expressed in the original proposals to the Commission made by this Government in June 1946 is still vigorous and still its declared policy. Secretary Marshall has emphasized in his foreword: "The international control of atomic energy remains a paramount problem of humanity. The United States will continue in its efforts to reach a solution of that problem."

One of the important conclusions advanced in *Policy at the Crossroads* concerns public understanding of the atomic energy issues. It is suggested:

"That the people of the United States as a whole—and not merely those with a special or professional interest in the subject—must concern themselves with acquiring an adequate understanding of the essential facts about atomic energy and of the proposed international control measures on which their future security may depend. The same obligation falls upon the peoples of other nations."

The pamphlet will be sold by the Superintendent of Documents, Government Printing Office, Washington 25, D.C., for 45 cents a copy with a 25-percent discount to purchasers of 100 copies or more.

THE FOREIGN SERVICE

Consular Offices

The consular section of the mission at Tel Aviv, Israel, was opened for limited consular business including citizenship, welfare, whereabouts, and shipping services, effective July 13, 1946.

The office at Alexandria, Egypt, was raised to the rank of Consulate General, effective June 1, 1948.

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Contributors

Lt. Lawrence D. Bradley, Jr., United States Coast Guard, author of the article on the Safety of Life at Sea Conference, served as technical secretary of the U.S. Delegation to the Conference.

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The Department of State

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The Department of State BULLETIN, a weekly publication compiled and edited in the Division of Publications, Office of Public Affairs, provides the public and interested agencies of the Government with information on developments in the field of foreign relations and on the work of the Department of State and the Foreign Service. The BULLETIN includes press releases on foreign policy issued by the White House and the Department, and statements and addresses made by the President and by the Secretary of State and other officers of the Department, as well as special articles on various phases of international affairs and the functions of the Department. Information is included concerning treaties and international agreements to which the United States is or may become a party and treaties of general international interest.

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THE UNITED NATIONS AND SPECIALIZED AGENCIES

S. Report to U.N. on False and Distorted Reports

Released to the press by the U.S. Mission to the U.N. July 191
On May 17 the Secretary-General of the United Nations, acting in accordance with the General Assembly's resolution 119 (II) of October 31, 1947, regarding implementation of recommendations on economic and social matters, asked the Representatives of the United States at the seat of the United Nations for the observations of the United States Government on implementation of the General Assembly's resolution 127 (II) of November 15, 1947, regarding false or distorted reports.

Following is the text of the United States reply:

Resolution No. 127 (II), adopted by the General Assembly on November 15, 1947, invites the Governments of States Members "to study such measures as might with advantage be taken on the national plane to combat, within the limits of constitutional procedures, the diffusion of false or distorted reports likely to injure friendly relations between States".

The position of the United States with respect to such measures was outlined in a statement filed at the United Nations Conference on Freedom of Information (E/Conf 6/6 Add 6), which reads in part as follows:

It is the view of the Government of the United States that the most effective means of combatting the diffusion of false or distorted reports is to assure the availability of a multiplicity of unfettered sources of news and information to the various peoples of the world. It is the fundamental belief of the Government of the United States that, provided they have access to sufficient information from diverse sources, the peoples of a democracy are competent to distinguish the true from the false and the wise from the stupid, and on the basis of their judgments to form their own opinions and make their own decisions.

Conversely, it is the view of the Government of the United States, that the greatest danger from false or distorted reports arises from monopolies of information, and particularly those of a governmental character. The American people have observed that monopolies of information tend to become monopolies of misinformation and that State control of the flow of information is inevitably used as a propaganda mechanism to further the official aims, both domestic and international, of

the existing government. This may lead—and frequently has led—to the deliberate falsification or distortion of reports concerning other States without possibility of counteraction."

This Government is vigilantly aware of the danger of monopoly in the communications field. No government monopoly of any character over the flow of news or information exists in the United States. In addition, this Government has a long-established policy of combatting private monopoly, as evidenced by its anti-trust laws and such special statutes as the Federal Communications Act.

There are in the United States today more than 1,700 daily newspapers. Of these, about 83 per cent are locally owned and only about 13 per cent absentee owned. In other words, approximately four out of every five dailies are individual, independent units. Only slightly more than one out of five is linked with a chain, and the largest chain in the United States consists of less than twenty dailies. There are, in addition, almost 10,000 weekly newspapers. The overwhelming majority of these are individual units, locally owned. Each of these papers—both weeklies and dailies—has its own editors, free to report world news and to comment on it as they like.

Scores of magazines and periodicals are published in the United States, many of which contain news and information concerning international affairs.

In the field of radio there are almost 1700 AM stations broadcasting at the present time, together with more than 500 FM stations, and some 27 television stations. Almost without exception, considerable attention is given by all of these to the dissemination of news and information concerning public affairs.

These news media—newspapers, periodicals and broadcasting stations—are served by three national wire services with world-wide coverage. In addition, many newspapers, periodicals and radio networks maintain extensive, supplementary foreign coverage through correspondents of their own.

Through this extensive network for the collection and dissemination of news and information, the multiplicity of sources of news and information available to the people of the United States is unsurpassed in any other country of the world.

The probability that false or distorted reports will be corrected by true reports is correspondingly great.

As stated to the Conference on Freedom of Information, it is thus the view of this Government that, "the major means for combatting false or distorted reports is to implement freedom of information by reducing barriers and promoting the flow of information available to the various peoples of the world from a multiplicity of news sources by breaking up existing monopolies of information and striking off existing fetters of State control".

Compared with the efficacy of diverse sources of information in offsetting false or distorted reports, other measures for correcting whatever abuses may now exist are viewed as secondary and must be such as not to destroy or restrict freedom of information itself.

In the view of this Government, such ancillary means might include the following:

1. The idea of the moral responsibility of information agencies should be implemented through encouraging non-official organizations of news and information personnel dedicated to the development of high standards of professional conduct.

In this connection the United States Delegation to the Conference on Freedom of Information supported the inclusion of the following provisions in a resolution introduced by it (Resolution No. 1 of the Final Act of the Conference):

"5. That it is the moral obligation of the press and other agencies of information to seek the truth and report the facts, thereby contributing to the solution of the world's problems through the free interchange of information bearing on them, promoting respect for human rights and fundamental freedoms without discrimination, fostering understanding and cooperation between peoples, and helping maintain international peace and security;

"6. That this moral obligation, under the spur of public opinion, can be advanced through organizations and associations of journalists and through individual news personnel;

"7. That encouragement should be given to the establishment and to the functioning within the territory of a State of one or more non-official organizations of persons employed in the collection and dissemination of information to the public, and that such organization or organizations should encourage the fulfillment *inter alia* of the following obligations by all individuals or organizations engaged in the collection and dissemination of information;

"(a) To report facts without prejudice and in their proper context and to make comments without malicious intent;

"(b) To facilitate the solution of the economic, social and humanitarian problems of the world as a whole through the free interchange of information bearing on such problems;

"(c) To help promote respect for human rights and fundamental freedoms without discrimination;

"(d) To help maintain international peace and security;

"(e) To counteract the spreading of intentionally false or distorted reports which promote hatred or prejudice against States, persons or groups of different race, language, religion or philosophical conviction;"

2. Secondly, the training and exchange of journalists should be facilitated and in such manner as to inculcate higher standards of competence and integrity.

The United States has developed extensive facilities for the training of journalists. More than seventy schools of journalism are now in operation, virtually all of them affiliated with colleges or universities. In recent years, increasing attention has been paid to opportunity for advanced study on the part of practicing journalists. Outstanding in this field are fellowships granted annually by the Nieman Foundation, connected with Harvard University, and the American Press Institute, connected with Columbia University.

The United States Delegation supported Resolution No. 35 adopted by the Conference on Freedom of Information, making recommendations regarding the training of journalists.

The United States, both through the Department of State, UNESCO and private endeavor, has also consistently supported the principle of the exchange of persons between countries, including journalists and other information personnel. It is the hope of this Government that this type of exchange can be substantially increased as time goes on.

3. The creation of private organizations of citizens dedicated to the purpose of increasing international understanding through greater knowledge of other countries and peoples and of the purposes and activities of the United Nations should be encouraged.

In accordance with this policy the United States Delegation to the Conference on Freedom of Information supported the recommendation contained in Resolution No. 3, "that appropriate national bodies should supplement the work of information agencies and associations of journalists and of others engaged in the collection, publication and dissemination of news, in ensuring the impartial presentation of news and opinion . . .

Thousands of private organizations in the United States concern themselves with international affairs. Every effort is made by this Government to facilitate their educational work. The Department of State maintains regular and continuous liaison with more than 450 national organizations alone. These are of all types and in total represent some 60 million members. The

Department of State during the past year has received and answered nearly one-half million letters, telegrams, and post cards. During the last four years more than seven million copies of some five hundred different publications covering all phases of American foreign policy have been published and distributed by the Department. Approximately 150 meetings attended by representatives of national organizations have been held during this same four-year period to provide background information and discussion of international matters. In these ways the Government of the United States assists private organizations to provide a flow of information to the general public which supplements that disseminated by the press and other organs of information.

4. The development on the inter-governmental plane of the right of official correction provides a fourth means of offsetting false or distorted reports.

The Draft Convention on the Gathering and International Transmission of News submitted to the Conference on Freedom of Information by the United States Delegation contained a provision for an international right of official correction. This applied to cases where a State felt that a report likely to injure its relations with other States sent out by a foreign correspondent was false or distorted. The complaining government could in such cases send its own version of the facts to the State in which the report had been published. The latter would then be obliged to make this version available to the information agencies which supply news to its public.

This provision in somewhat expanded form was adopted by the Conference in a separate Draft Convention Concerning the Institution of an International Right of Correction, originally submitted by the French Delegation. No power to compel publication is contemplated. It need hardly be pointed out, however, that American newspapers follow the general practice of publishing corrections and denials.

5. A fifth means is the establishment of continuing United Nations machinery which would include in its terms of reference continuing investigation of obstacles to the free flow of information and continuing study and reporting on the persistent dissemination of false or intentionally distorted reports contrary to the principles of the Charter of the United Nations.

The United States Delegation to the Conference on Freedom of Information sponsored Resolution No. 39 which requested the Economic and Social Council to continue the Subcommittee on Freedom of Information and of the Press with power to study and report to the Economic and Social Council on "the persistent dissemination of information which is false, distorted or otherwise injurious to the principles of the Charter of the United Nations . . ."

6. In a desire to implement the General Assembly resolution concerning false or distorted reports and the corresponding resolutions adopted by the Conference on Freedom of Information (Resolutions No. 2 and 3), the Department of State during the first part of June, 1948, transmitted to some 1800 persons engaged in the collection and dissemination of news and information copies of the attached Report¹ of the United States Delegates to the United Nations Conference on Freedom of Information. In an accompanying letter of transmittal, the Assistant Secretary of State for Public Affairs, specifically called the attention of news and information personnel to these resolutions, which were reproduced in the report. This step was taken in the belief that the moral obligation of the press and other agencies of information to seek the truth and report the facts can best be advanced by journalists and other information personnel themselves.

In this connection the Government of the United States endorses the action of the Conference on Freedom of Information (Resolution No. 2) in appealing "vigorously to the personnel of the press and other agencies of information of all the countries of the world, and to those responsible for their activities, to serve the aims of friendship, understanding and peace by accomplishing their task in a spirit of accuracy, fairness and responsibility;"

In the view of this Government, a free people cannot go beyond such measures as those described above without destroying the most fundamental of all their freedoms, freedom of information. The use of governmental power to combat false or distorted reporting likely to injure friendly relations between States through censorship or suppression would constitute a dangerous infringement of freedom of information. For governments to arrogate unto themselves the power to determine what is true and what false, what is friendly and what unfriendly, would mark the end of the free press.

THE FOREIGN SERVICE

Consular Offices

An American Consular Agency was established at Port Limón, Costa Rica, on July 19, 1948.

The American Consulate at Dar-es-Salaam, Tanganyika, was opened to the public on July 12, 1948. The consular district for Dar-es-Salaam will comprise the trusteeship territory of Tanganyika and the Protectorate of Zanzibar (including Pemba).

Henry F. Grady To Assume Duties in Greece

After two weeks of consultation in Washington, Henry F. Grady will depart by air on July 18 to assume the duties of his new post as Ambassador to Greece.

¹ Not here printed.

Cease-Fire Orders for July 18¹

CABLEGRAM TO THE ARAB STATES AND TO THE PROVISIONAL GOVERNMENT OF ISRAEL CONCERNING THE SECURITY COUNCIL RESOLUTION OF 15 JULY AND THEIR REPLIES

1. Cablegram Dated 16 July From the United Nations Mediator

Paragraph 3 of the resolution on the cease-fire and truce in Palestine adopted by the Security Council on 15 July at its three hundred and thirty-eighth meeting provides that the cease-fire is "to take effect at a time to be determined by the Mediator, but in any event not later than three days from the date of the adoption of this resolution".

In pursuance of this provision of the resolution and following consultations at Lake Success, I wish to notify you that the date and hour on which the cease-fire is to be effective is 3.00 p.m., G.M.T., Sunday, 18 July 1948. In order that each party may be informed of the intentions of the other, will you be so kind as to confirm to me this issuance of the cease-fire orders in accordance with the decision above noted at my Rhodes headquarters at the earliest possible moment.

Paragraph 8 of the resolution "instructs the Mediator to supervise the observance of the truce".

In order that there shall be no misunderstanding regarding the discharge of my responsibilities in the supervision of the truce, I take this opportunity to inform you that, although I will do my utmost to establish and put into operation a system of observers as quickly as possible, I cannot ensure that the functioning of this system, in view of the short time available, will coincide with the effective date of the truce. It is my earnest hope that both parties will undertake to observe scrupulously both the letter and the spirit of the truce. I will, of course, give advance notice and at the earliest possible moment, of the institution of the system of supervision, and of the arrival of the observers and their equipment at the observation posts.

2. Replies

(a) EGYPT

In reply to your cable of 17 July which was communicated to me on the same date, the Egypt-

¹ U.N. doc. S/907, July 19, 1948.

tian Government has given the cease-fire order Palestine as from Sunday, 18 July at 3.00 p.m. G.M.T.

NOKRASHY
*President of the Council of
Ministers of Egypt*

(b) TRANSJORDAN

I have the honour to inform you that the Government of the Hashemite Kingdom of Transjordan, complying with the resolution of the Security Council, accepts cease-fire as from three o'clock Greenwich Time this day, Sunday, 18 July 1948.

F. MULKA
Transjordan Foreign Minister

(c) IRAQ

Owing to delay of receipt of your wire, and because the subject necessitates Arab State deliberations, and in view of Arab League Political Committee being still kept busy in meetings, I earnestly endeavour to get Iraqi Government's reply reach you at earliest possible moment.

ALI MUMTAZ
Acting Minister for Foreign Affairs, Iraq

(d) ISRAEL

View shortness time and absent reply regarding Arab decision, orders have been issued. all our commanders cease fire today 7.00 p. m. Israel Time corresponding hours fixed by you and resume firing only if other side continues.

MOSHE SHERTOK

(e) SYRIA

We have ordered our troops to cease fire at 12 hours Damascus time.

JAMIL MARDAM BEY
Minister of Foreign Affairs, Syria

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(h) SAUDI ARABIA

Reference your telegram No. 13 dated July 16, contents of which have fully been noted by the Saudi Arabian Government, but so far as taking final decision on the subject, this comes under the jurisdiction of the Political Committee of the Arab League. You will be notified thereof by the said League in due course.

*Ministry of Foreign Affairs
Saudi Arabia*

LEAGUE OF ARAB STATES²

I wish to notify Your Excellency that the Arab States members of the Arab League issued orders to cease fire in Palestine as from Sunday, 18 July, 3 G.M.T.

*AZZAM PASHA
Secretary-General of League
of Arab States*

LEBANON

I have honour to inform you cease-fire order was given to Lebanese forces 5.00 p. m. Sunday.

*HAMID FRANGIE,
Minister of Foreign Affairs, Lebanon*

Terms of Reference for the Visiting Mission to Ruanda-Urundi and Tanganyika

RESOLUTION³

The Trusteeship Council:

HAVING appointed a visiting mission composed of Mr. H. Laurentie of France, Chairman, Mr. W. P. Chinnery of Australia, Dr. Lin Moung of China, and Mr. R. E. Woodbridge of Costa Rica, assisted by members of the Secretariat and by such representatives of the local administrations as the mission may determine necessary; HAVING decided that the visiting mission should visit the Trust Territories of Ruanda-Urundi and Tanganyika during the months of July, August, and September 1948 in accordance with rules 84, 89, 96 and 98 of the rules of procedure of the Trusteeship Council;

Directs the visiting mission to observe the developing political, economic, social and educational conditions in the Trust Territories of Ruanda-Urundi and Tanganyika, their progress toward

U.N. doc. S/908, July 19, 1948.

Excerpts from a telegram dated 18 July 1948, from Abdel Rahman Arel, the Secretary-General of the Arab League to the Secretary-General of the United Nations in reply to the Security Council resolution (doc. S/902) adopted 15 July 1948:

The Governments of the Arab States are surprised at the attitude the Security Council has adopted in regarding the situation in Palestine as a threat to the peace subject to the provisions of Chapter VII of the Charter of the United Nations and entailing the application of sanctions against the Arab States if they refused to cease fire in Palestine. This attitude has never been adopted by the Security Council with regard to any of the problems it has hitherto dealt with.

Because the Security Council persists in considering the continuation of hostilities in Palestine to be a breach of the peace and because it expressly threatens to apply sanctions against the Arab States if they refuse to cease fire, the Arab States, anxious to avoid doing anything which would aggravate the critical situation through

self-government or independence, and the efforts of the respective Administering Authorities to achieve this and other basic objectives of the International Trusteeship System;

Directs the visiting mission to give attention, as may be appropriate in the light of discussions in the Trusteeship Council and resolutions adopted by the Council, to issues raised in and in connexion with the annual reports on the administration of Ruanda-Urundi and Tanganyika and in petitions received by the Trusteeship Council relating to those Trust Territories; and

Requests the visiting mission to transmit to the Trusteeship Council, not later than 31 October 1948, in accordance with rule 99 of the rules of procedure of the Trusteeship Council, a report on the findings of the mission with such observations and conclusions as the mission may wish to make.

which the world is now passing, have no other alternative than to accept the Security Council's resolution with regard to the cessation of hostilities in Palestine.

... They will accordingly follow carefully and with anxiety the efforts made by the United Nations to consolidate the so-called State of Israel. In this connection the Arab States can only express astonishment that the Security Council's resolution has recognized the Zionist bands as a provisional government. Such recognition goes beyond the limits of neutrality which the Security Council should observe in regard to the present conflict. Moreover, it contradicts the resolution adopted by the Council on 29 May which stated that the rights, claims and positions of both parties should be respected. In such circumstances the Arab States make the most energetic protests and enter the most express reservations with regard to such recognition. The Arab States, anxious to see the wished-for solution of the Palestinian problem realized, will await that solution with impatience. Then and then only will peace return to the land of peace.

³ U.N. doc. T/195, July 13, 1948. Adopted by the Trusteeship Council at the twenty-third meeting of its third session on July 13, 1948.

August 1, 1948

The United States in the United Nations

Privileges and Immunities

Appointment of a committee of three private citizens to study the question of whether persons whose presence is inconsistent with national security have entered the United States in connection with the work of international organizations was announced on July 28 by Secretary of State Marshall.¹

Members are Benjamin M. McKelway, editor of the *Washington Star*; James H. Rowe, Jr., Washington attorney, former Assistant Attorney-General; and Marcellus C. Sheild, retired, clerk of the House Appropriations Committee from 1916 to 1944.

Mr. Marshall's letter to the committee members said that recent "public discussion and concern" about this question had led him to decide "to have a careful study made and all the relevant facts analyzed and published as soon as possible so that a determination can be reached as to whether the Government possesses, and has exercised, all necessary powers to protect the public interest."

Mr. Marshall asked the committee specifically to report whether the United Nations headquarters agreement, as accepted with certain reservations by the Seventy-ninth Congress, prevents "the exclusion from this country of persons whose presence is inconsistent with our national security."

On July 21 Mr. Marshall had told a press conference that in his opinion the admission to the United States of U.N. personnel whose ideologies and beliefs differ from those of the United States had not endangered this country's security.²

On July 30 the United Nations Acting Secretary-General, Arkady A. Sobolev, made public a letter from the staff committee representing U.N. employees which expressed the hope that the committee appointed by Secretary Marshall would "operate on a high level of justice and international amity, and not inquisitorially". The letter disapproved in principle "any form of national investigation" which would encroach on the international character of the United Nations.

Strategic Trusteeships

The relationship of the Security Council and the Trusteeship Council with respect to strategic

trusteeships was again considered by a joint committee of the two Councils on July 22.³

Speaking for the Trusteeship Council, Chieh of China said that the procedure proposed in the report of the Security Council's committee of experts⁴ was generally acceptable. This proposal is that the Trusteeship Council should form "in accordance with its own procedure" on behalf of the Security Council, the functions specified in Articles 87 and 88 of the Charter relating to the political, economic, social and educational advancement of the inhabitants of strategic trust areas, but shall be subject to the primacy of the Security Council in security matters.

The Security Council has yet to ratify the procedure. Representatives of the U.S.S.R., the Ukraine have expressed bitter opposition to granting the Trusteeship Council participation of right in U.N. procedures regarding strategic trusteeships. Only one such trusteeship, that of the United States over the Pacific Islands formerly mandated to Japan, is in effect.

Palestine

A Syrian proposal that the International Court of Justice be asked to give an advisory opinion on the international status of Palestine after termination of the United Kingdom mandate was rejected by the Security Council on July 27. Voting for it fell one short of the required majority of seven. Voting in favor were Argentina, Belgium, China, Colombia, Syria, and the United Kingdom. The Ukraine voted against, and Canada, France, the U.S.S.R., and the United States abstained.

A. G. L. McNaughton, of Canada, argued that reference to the International Court would inevitably hinder and postpone the negotiations for a peaceful settlement and would "unquestionably introduce doubts and uncertainties in the work of the Mediator on whom we have placed our primary reliance."

Philip C. Jessup, of the United States, endorsed General McNaughton's arguments. He added a reference to the Court by the recent special session of the General Assembly might have been "very pertinent at that time", but pointed out that the Assembly had decided instead to appoint a mediator.

On July 29 similar arguments prevailed in the Trusteeship Council, which voted 8-1 (U.S.S.R. against) to postpone indefinitely further discussion.

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¹ Department of State press release no. 613.

² BULLETIN of July 25, 1948, p. 116.

³ See BULLETIN of June 27, 1948, p. 830, and July 4, 1948, p. 15.

⁴ U.N. doc. S/642, Jan. 12, 1948.

of the draft Statute of Jerusalem. The majority agreed with Pierre Ryckmans of Belgium that debate on this "inflammable" question at present time might endanger the Palestine peace and the success of the mediator's efforts. The Council drafted an organic law for administration of Jerusalem by the United Nations at its last session, in compliance with one of the provisions of the General Assembly's partition resolution of November 29, 1947, but has not finally approved it and received no further instruction from the Assembly during its April-May special session on Palestine.

Indonesia

By a 9-0 vote (U.S.S.R. and Ukraine abstain), the Security Council on July 29 approved a resolution calling for strict observance of the Netherlands and the Indonesian Republic of the Renville truce agreement of January 17, 1948, and for early and full implementation of the principles for forming a sovereign United States of Indonesia.

The resolution noted four recent reports⁵ from the Council's Committee of Good Offices in Indonesia. One was in reply to the Council's July 6 resolution asking for information on restrictions imposed by the Netherlands to trade with the Republic. It said that the restrictions, "whatever their intent," had caused severe economic difficulties for the Republic. Another report said that local negotiations had again been suspended and that further progress depended on "substantive concessions" by one side or the other or both.

International Law Commission

Four Americans are among 78 candidates from whom the General Assembly will elect the 15 members of the United Nations' new International Law Commission. The list was announced at Lake Success, New York, on July 24.

Walter DeWitt Dickinson, dean of the University of California school of jurisprudence, was nominated by the Philippine Republic. Manley Hudson, Bemis professor of international law at Harvard University and from 1936 to 1946 a member of the Permanent Court of International Justice at The Hague, was nominated by Ethiopia, India, the Philippine Republic, and the United States. Philip C. Jessup, Deputy U.S. Representative in the Security Council and Hamilton Fish professor of international law and diplomacy at Columbia University, was nominated by Iceland and Turkey. Francis B. Sayre, U.S. Representative in the Trusteeship Council, was nominated by the United States.

Along with Dr. Hudson, the nominees of the United

States are Alberto Ulloa Sotomayor of Peru and Jean Spyropoulos of Greece.

The purpose of the Commission is to promote the progressive development and codification of international law.

Economic and Social Council

Continuing into its second week, the seventh session of the Economic and Social Council in Geneva discussed in plenary session the report of the Economic Commission for Europe. Endorsement of the Commission's work was expressed on July 27 by delegates of France, Great Britain, Poland, the U.S.S.R., and the United States. However, the Soviet representative launched a lengthy attack against the European Recovery Program, through which, he charged, the United States was interfering with the sovereignty of European nations. The Soviet representative proposed that the ECE adopt measures to expand trade and economic relations among its members and with others, to insure the carrying out of U.S. assistance within the U.N. framework, to stop foreign trade discrimination by which the United States would gain advantage at the expense of the receiving countries; to encourage European efforts to develop basic industries; to raise the volume of agricultural production; and to prevent the pauperization and unemployment produced by ERP.

In reply, Assistant Secretary of State Thorp, U.S. Representative at the Ecosoc meeting, pointed out that the 16 nations participating in the recovery program are democratic countries with free institutions and with parliaments controlling their decisions, and with a free press which discusses all aspects of the matter. The European nations themselves, he recalled, prepared the recovery program. Far from trying to make Europe more dependent on the United States, the whole purpose of the recovery plan is to restore the European economy so that the European nations will be completely independent of American aid. Mr. Thorp said. He stated that under the program European countries are encouraged to develop to the limit of their capacity industry, agriculture, and commerce. Mr. Thorp also pointed out that the United States will as far as possible assist in the expansion of agriculture in the various European countries and that "to say that we are trying to hold down the expansion of industry through this program is likewise incorrect."

On July 29, debate was completed on the Soviet resolution on the ECE report, with the Council rejecting it by a vote of 14-3. The Social, Economic, and Human Rights Committees of the Council continued working on items within their competence referred to them by the Council.

⁵ U.N. docs. S/842, S/848 and S/848/Add. 1, S/918, S/919.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

U.S. Delegations to International Conference

Linguistics

The Department of State announced on July 19 the composition of the United States Delegation to the Sixth International Congress of Linguists scheduled to be held at Paris July 19-24, 1948. The United States Delegation is as follows:

Chairman

Charles C. Fries, Professor, University of Michigan

Delegates

William F. Albright, Professor of Semitic Languages, Johns Hopkins University

Herbert Penzel, Associate Professor of German, University of Illinois

The International Congresses of Linguists have been meeting periodically since 1928, bringing together scholars from all parts of the world. The Fifth Congress was scheduled to be held at Brussels August 28-September 2, 1939. However, upon meeting, the delegates decided that in view of the critical international situation the Congress should adjourn immediately.

The principal effort of the Sixth Congress will be devoted to general morphology. Among the other items to be considered will be: (1) to attempt to arrive at a general unification of terminology of linguistics throughout the world; (2) to institute a general inquiry on the state of research in the several fields of linguistic study; (3) to compile a linguistic atlas of the world; (4) to inquire into the question of statistics in linguistics; and (5) to study the present state of development of international auxiliary language studies.

Physical Education

The Department of State announced on July 15 the United States Delegation to the International Congress of Physical Education, Recreation and Rehabilitation which is scheduled to be held at London July 23-26, 1948. The United States Delegation is as follows:

Chairman

T. Nelson Metcalf, Professor of Physical Education and Director of Athletics, University of Chicago

Delegates

Robert J. H. Kiphuth, Professor of Physical Education and Director of Athletics, Yale University

EDITOR'S NOTE: The Calendar of International Meetings, which usually appears in the BULLETIN in the first issue of each month, will appear in the August 8 issue.

Maj. Bliss P. Sargeant, Jr., Chief, Troop Information Education Branch, Office of Director of Military Personnel, Department of the Air Force

This Congress, sponsored by six British organizations under the aegis of the Ministry of Education, is scheduled to take place immediately before the Olympic Games. The program of the Congress will include short addresses on such subjects as physical education in schools, the training of physical-education teachers, post-school physical recreation, rehabilitation in the services and civilian life, the physical education of hospital patients, and applied physical training in industry. Demonstrations of various aspects of physical education by school children, students of physical-training colleges, members of youth clubs, and members of the services will also be presented.

Navigation of the Danube

The Department of State announced on July 15 that the President has approved the composition of the United States Delegation to attend the International Danube Conference to be held in Belgrade opening on July 30, 1948.

Invitations to the conference were extended to Yugoslavia as the host government to the United States, United Kingdom, France, Union of Soviet Socialist Republics, Hungary, Czechoslovakia, Rumania, Bulgaria, the Ukrainian Soviet Socialist Republic, and Austria.

The United States Delegation is as follows:

Chairman

Cavendish W. Cannon, Ambassador Extraordinary and Plenipotentiary, American Embassy, Belgrade

Vice Chairman

Walter A. Radius, Director, Office of Transport and Communications, Department of State

Advisers

Francis B. Stevens, Chief, Division of Eastern European Affairs, Department of State

John W. Tuthill, Inland Transport Adviser, Office of Transport and Communications, Department of State

Charles I. Bevans, Treaty Affairs, Office of the Legal Adviser, Department of State

John C. Campbell, Council on Foreign Relations, New York, N.Y.

Robert G. McCreary, Leckie, McCreary, Schlitz and Hinkle, Maritime Lawyers, Cleveland, Ohio

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representative, Office of Military Government, United States (OMGUS), Berlin
 representative, United States Forces, Austria (USFA), Vienna
 George A. Mann, Public Affairs, Overseas Program Staff, Office of International Information, Department of State
 Frederick Strauss, Chief, European Branch, Office of International Trade, Department of Commerce

SECRETARIAT

Executive Secretary

Arthur C. Nagle, Division of International Conferences, Department of State

Technical Secretary

Maxwell Harway, Office of Transport and Communications, Department of State

Press Officer

Alfred H. Dustmann, Jr., Office of the Special Assistant for Press Relations, Department of State

Financial Officer

John F. Jablonski, Division of Finance, Department of State

Language Service Officer

Samuel R. Boyle, Division of Language Services, Department of State

Documents Assistant

Virginia E. Sparks, Division of Departmental Personnel, Department of State

Interpreters

Henriette Dastous, Division of Language Services, Department of State
 Helen Gavrisheff, Division of Language Services, Department of State
 Alexander Logofet, Division of Language Services, Department of State

Biographic Services

William E. Atland, Division of Eastern European Affairs, Department of State
 Charles Beach, Office of Transport and Communications, Department of State
 Henry C. Kluczny, Office of Assistant Secretary for political affairs, Department of State
 John Perlman, Office of Transport and Communications, Department of State
 William M. Venable, Office of Assistant Secretary for political affairs, Department of State

Medical Histories

The Department of State announced on July 21 the composition of the United States Observer Delegation to the meeting of the United Kingdom and Dominions Official Medical Histories Liaison Committee scheduled to be held at Corpus Christi College, Oxford, England, August 3-7, 1948. The observer delegation is as follows:

Chairman

Dr. John Matthew Bachulus, M.C., U.S.N., Staff Medical Officer with Commander in Chief of Naval Forces, Eastern Atlantic and Mediterranean, London

August 1, 1948

Observer Delegates

Col. Joseph H. McNinch, M.C., U.S.A., Editor-in-Chief of History of Army Medical Department in World War II, Director of Army Medical Library, Surgeon General's Office, Department of the Army
 Dr. Donald O. Wagner, Chief Historian, Historical Division, Army Medical Library, Surgeon General's Office, Department of the Army

The purpose of the meeting is to discuss collaboration in the preparation of the official medical histories of the war. A previous meeting of the Committee was held at Ottawa in September 1947.

Anthropological and Ethnological Sciences

The Department of State announced the United States Delegation to the Third Session of the International Congress of Anthropological and Ethnological Sciences scheduled to be held at Brussels and Tervueren, Belgium, August 15-23, 1948. The United States Delegation is as follows:

Chairman

Dr. Melville J. Herskovits, Professor of Anthropology, Northwestern University

Delegates

Dr. Wilton Marion Krogman, Professor of Physical Anthropology, University of Pennsylvania
 Dr. Ralph Linton, Sterling Professor of Anthropology, Yale University

The purpose of the Congress is to enable scientists to submit for consideration and discussion the results of their research relating to the characteristics and customs of races and peoples. The Second Session of the Congress, held at Copenhagen July 31-August 6, 1938, appointed six special committees which will present reports to the forthcoming session on the following subjects: the organization of systematic research on the peoples and cultures of the circumpolar regions; the standardization of anthropological methods; the standardization of anthropological and ethnological terminology; the position of anthropology and ethnology in public education; the provisions by various governments for the conservation of aboriginal peoples whose mode of life is of scientific interest; and the problems of megalithic cultures. The general scientific subjects to be discussed will include physical anthropology, the ethnology of Europe, Asia, Africa, the Arctic, Oceania, and the Americas, the methods, theories, and history of ethnology, and linguistics.

Geodesy and Geophysics

The Department of State announced on July 19 the composition of the United States Delegation to the Eighth General Assembly of the International Union of Geodesy and Geophysics scheduled to be held at Oslo August 17-28, 1948. The United States Delegation is as follows:

ACTIVITIES AND DEVELOPMENTS

Chairman

Walter D. Lambert, Chief, Section of Gravity and Astronomy, United States Coast and Geodetic Survey, Department of Commerce

Delegates

Leason H. Adams, Director, Geophysical Laboratory, Carnegie Institution

K. Hilding Beij, Assistant Director, Hydraulics Laboratory, National Bureau of Standards, Department of Commerce

Francis W. Reichelderfer, Chief, United States Weather Bureau, Department of Commerce

Waldo E. Smith, Executive Secretary, American Geophysical Union

It is expected that approximately 31 countries will be represented at the Assembly.

The purpose of the Eighth Assembly is to exchange scientific information; to discuss the rapidly growing importance and value in human endeavor of geodesy and geophysics; to promote international cooperation for the development of natural resources; and to improve geophysical methods of scientific investigation and utility. The agenda for the meeting will include the presentation of papers on such subjects as the physical aspects of the influence of solar activity on terrestrial magnetism, the ionosphere, magnetic surveys and instruments, air-borne magnetism, terrestrial magnetism, and aurora. In addition, reports of the committees appointed at the Seventh General Assembly will be presented.

The International Union of Geodesy and Geophysics is one of the component unions of the International Council of Scientific Unions. The Union of Geodesy and Geophysics is composed of international associations concerned with the following subjects: seismology, meteorology, terrestrial magnetism and electricity, physical oceanography, vulcanology, and scientific hydrology.

Geology

The Department of State announced on July 23 the composition of the United States Delegation to the Eighteenth International Geological Congress scheduled to be held at London, August 25-September 1, 1948. The United States Delegation is as follows:

Chairman

Dr. Elliot Blackwelder, Professor Emeritus of Geology, Stanford University, and Chairman, U.S. Geological Survey Advisory Committee, Stanford University

Delegates

Dr. Leason Heberling Adams, Director, Geophysical Laboratory, Carnegie Institution

Dr. James Boyd, Director, U.S. Bureau of Mines, Department of the Interior

Dr. Norman Levi Bowen, Petrologist, Carnegie Institution

Dr. A. F. Buddington, Professor of Geology, Princeton University

Dr. Carl O. Dunbar, Professor of Geology, Yale University

Dr. Herbert E. Hawkes, Geologist, U.S. Geological Survey, Department of the Interior

Dr. W. D. Johnston, Jr., Geologist, U.S. Geological Survey, Department of the Interior

Dr. John F. Marble, Chairman, Committee on Geological Time, National Research Council

Dr. Louis L. Ray, Geologist, U.S. Geological Survey, Department of the Interior

The main purpose of the forthcoming Congress will be to exchange scientific information on and discuss the following geological subjects: problem of geochemistry; metasomatic processes in metamorphism; rhythm in sedimentation; the geological results of applied geophysics; the geology of petroleum; the geology, paragenesis, and reserves of the ores of lead and zinc; the geology of sea and ocean floors; the Pliocene-Pleistocene boundary; faunal and floral facies and zonal correlation; the correlation of continental vertebrate-bearing rocks; and earth movements and organic evolution. Other items on the agenda include an examination of the program conducted in the American Republics since 1940 under the auspices of the Interdepartmental Committee on Scientific and Cultural Cooperation and a discussion on the desirability of forming an international union of geology to be affiliated with the International Council of Scientific Unions.

In addition to the regular program of the Congress a number of excursions to points of interest in England, Scotland, and Wales have been scheduled.

John Abbink Appointed to Joint Brazil-U.S. Technical Commission

John Abbink has been appointed by the President as Chairman, with the personal rank of Minister, of the United States Section of the Joint Brazil-United States Technical Commission which the Brazilian and the United States Governments are cooperating for the purpose of making a study of Brazilian resources and capacities for economic development.

Mr. Abbink will serve as Co-Chairman with the Chief of the Brazilian Section of the Commission. The Brazilian and United States Sections will each consist of three members who will be assisted by a technical staff to be furnished by their respective governments. Other members of the United States Section will be appointed at an early date, and it is anticipated that this section will arrive in Rio de Janeiro early in September.

The Commission will direct its attention toward an analysis of (1) Brazil's natural and capital resources; (2) the supply of labor, particularly skilled labor; (3) problems in fiscal and banking fields; (4) problems of domestic and international trade; and (5) the position of Brazil in the world economy.

The organization of this Technical Commission is a further instance of the cooperative work encouraged by the United States Government to assist the other American Republics in attaining the comprehensive development of their resources.

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U.S.-Yugoslav Claims Settlement

SUMMARY OF AGREEMENTS

Agreements between the Government of the United States and the Government of the Federal People's Republic of Yugoslavia were signed on July 19 in Washington, D. C. One agreement provides for settlement for American property nationalized in Yugoslavia and other outstanding pecuniary claims between the two Governments. The other agreement provides for settlement of the lend-lease accounts and for pre-UNRRA aid furnished to Yugoslavia by the United States. The U.S. Treasury is also unblocking Yugoslav assets in the United States.

The agreements were signed on behalf of the United States by George C. Marshall, Secretary of State, and on behalf of the Government of Yugoslavia by Dr. Obren Blagojevic, Deputy Minister of Finance.

The agreements signed on July 19 are the result of discussions of outstanding financial questions between the two Governments which began at the Department of State in May 1947, between a special Mission of the Yugoslav Government and representatives of the Department of State.

Under the nationalization agreement, the Yugoslav Government agrees to pay to the United States in dollars the sum of 17 million dollars in full settlement for American property nationalized or otherwise taken in Yugoslavia and in settlement of all other pecuniary claims of the United States Government against Yugoslavia, except those under lend-lease and pre-UNRRA civilian relief, which are settled in the second agreement. The second agreement, to settle the lend-lease and pre-UNRRA accounts, provides for the payment by Yugoslavia to the United States of 45 million Yugoslav dinars. These dinars will be used by the United States in Yugoslavia in the acquisition of Embassy or consular property and for other local uses. Of the approximately 32 million dol-

lars in lend-lease aid furnished by the United States to Yugoslavia, the great majority was used in the war. As is customary in the settlement of lend-lease accounts, no charge is made by the United States for materials expended in winning the war. The few small naval vessels loaned to Yugoslavia under lend-lease will be returned to the United States.

The lend-lease settlement also includes the resolving of several minor categories of claims, mostly maritime in nature, arising from the war. These include such items as the hire of Yugoslav vessels by the United States and claims arising from collision of vessels of the respective Governments.

The Treasury Department is unfreezing Yugoslav assets in the United States by including Yugoslavia in general license 53 issued under Executive Order 8389, as amended. Included among the assets unfrozen is gold amounting to almost 47 million dollars held at the Federal Reserve Bank of New York in the name of the Government of Yugoslavia.

The agreement concerning compensation for nationalization covers claims of individual American nationals arising from nationalization or other taking of property in Yugoslavia if the property was owned at the time, either directly or indirectly through a corporation, by an individual American national or by an American corporation which was owned in turn by individual American nationals at least to the extent of 20 percent of any class of its outstanding securities.

The 17 million dollars paid to the United States is to be distributed among the claimants under procedures which Congress will be requested to establish.

The two Governments agree to provide interchange of information respecting American claims in order to promote substantial equity in awards.

AGREEMENT REGARDING PECUNIARY CLAIMS

The Government of the United States of America and the Government of the Federal People's Republic of Yugoslavia, being desirous of effecting an expeditious and equitable settlement of claims of the United States of America and of its nationals against Yugoslavia, have agreed upon the following articles:

Article 1

(a) The Government of Yugoslavia agrees to pay, and the Government of the United States agrees to accept, the sum of \$17,000,000 United States currency in full settlement and discharge of all pecuniary claims of the Government of the United States against the Government

THE RECORD OF THE WEEK

of Yugoslavia, other than those arising from Lend-Lease and civilian supplies furnished as military relief, arising between September 1, 1939 and the date hereof, and in full settlement and discharge of all claims of nationals of the United States against the Government of Yugoslavia on account of the nationalization and other taking by Yugoslavia of property and of rights and interests in and with respect to property, which occurred between September 1, 1939 and the date hereof.

(b) Such payment by the Government of Yugoslavia shall be made to the Secretary of State of the United States of America within forty-five days after the signing of this Agreement.

(c) If, upon adjudication made by the agency established or otherwise designated by the Government of the United States to adjudicate claims settled under this Agreement, it is found that the sum of \$17 million payable by the Government of Yugoslavia under the provisions of the Agreement is in excess of the total sum of the claims determined to be valid, exclusive of any interest on such claims for the period beginning on the date of the payment referred to in paragraph (a) of this Article, plus the costs of adjudication, if any, not borne by the claimants, the Government of the United States shall take the necessary steps to return such excess amount to the Government of Yugoslavia.

Article 2

The claims of nationals of the United States to which reference is made in Article 1 of this Agreement include those respecting property, and rights and interests in and with respect to property, which at the time of nationalization or other taking were:

(a) Directly owned by an individual who at such time was a national of the United States.

(b) Directly owned by a juridical person organized under the laws of the United States, or a constituent state or other political entity thereof, twenty percent or more of any class of the outstanding securities of which were at such time owned by individual nationals of the United States, directly, or indirectly through interests in one or more juridical persons of whatever nationality, or otherwise; or

(c) Indirectly owned by an individual within category (A) above, or by a juridical person with category (B) above, through interests, direct, or indirect in one or more juridical persons not within category (B) above, or otherwise.

Article 3

The claims of nationals of the United States to which reference is made in Article 1 of this Agreement do not include claims of individual nationals of the United States who did not possess such nationality at the time of the nationalization or other taking, which claims shall be subject to compensation by the Government of Yugoslavia, either by direct negotiations between that Government and the respective claimants or under compensation procedures prescribed by Yugoslav law.

Article 4

(a) Nothing herein contained shall constitute or be construed to constitute a waiver or release by the Government of Yugoslavia of any claims it or any Yugoslav national may have against any national of the United States.

(b) Claimants against the Government of Yugoslavia for compensation on account of the nationalization or other taking of enterprises, whose claims with respect to such nationalization or other taking are claims which are fully settled and discharged by this Agreement, receiving payment out of the funds to be paid by the Government of Yugoslavia under Article 1 of this Agreement shall be deemed to have undertaken to hold the Government of Yugoslavia, and the respective successor enterprises established by such Government, harmless against, and to have

assumed, all debt obligations, including guarantees, of enterprises of which such claimants were formerly owners, to nationals of countries other than Yugoslavia valid and subsisting as of the date hereof, incurred not for the benefit of such enterprises, but for the benefit of the owners thereof; but such assumption and undertaking shall be applicable only to such proportion of such obligations as such claimants' interests in such enterprises at the date of the nationalization or other taking thereof bore to the total ownership interests therein. Debt obligations, including guarantees, owing to nationals of countries other than Yugoslavia, incurred prior to the time such claimants became nationals of the United States shall be deemed subject to such assumption and undertaking in the absence of proof that such obligations, including guarantees, were incurred for the benefit of such enterprises.

(c) The Government of Yugoslavia recognizes the obligation of the successor enterprises created by it with respect to debts valid under Yugoslav law which were incurred prior to the nationalization or other taking, for the benefit of the enterprises nationalized or otherwise taken, provided, however, that there shall be deemed fully settled and discharged all debt obligations of enterprises, nationalized or otherwise taken, owing to nationals of the United States whose claims against the Government of Yugoslavia with respect to the nationalization or other taking of such enterprises are claims which are fully settled and discharged by this agreement; and further that all debt obligations of such enterprises to juridical persons through which the claims of such claimants are derived shall be deemed settled and discharged in the same proportion as such claimants' interests in such enterprises, at the date of the nationalization or other taking thereof, bore to the total ownership interests therein.

Article 5

The Government of Yugoslavia agrees to accord to nationals of the United States lawfully continuing to hold or hereafter acquiring assets in Yugoslavia, the rights and privileges of using and administering such assets and the income therefrom within the framework of the controls and regulations of the Government of Yugoslavia, on conditions not less favorable than the rights and privileges accorded to nationals of Yugoslavia, or any other country, in accordance with the Convention of Commerce and Navigation between the United States of America and the Prince of Serbia, signed at Belgrad October 2-14, 1881.

Article 6

The Government of Yugoslavia agrees not to employ or to permit the employment of trademarks, and company names and trade names formerly used in Yugoslavia by enterprises, now nationalized, which were, at the time of such nationalization substantially owned, directly or indirectly, by nationals of the United States to the extent that such trademarks, company names and trade names are counterparts of trademarks, company names and trade names used elsewhere than in Yugoslavia by the former American owners of such enterprises, directly or through subsidiaries, or by their authority; provide, however, that nothing herein contained shall prejudice the right of the Government of Yugoslavia, or any national thereof, to employ such trademarks, company names and trade names with the consent of the former owners of such enterprises, or others authorized to permit the use thereof. The Government of Yugoslavia will take such measures as may be necessary and appropriate to prevent the use of such trademarks, company names and trade names within Yugoslavia, except with such consent or in connection with products imported into Yugoslavia with respect to which the use of such trademarks, company names and trade names is permitted by or on behalf of the former owners of such enterprises, or others authorized to permit the use thereof. This Agreement does

not affect in any way the rights, if any, of nationals of the United States with respect to trademarks, trade names and company names which were used in Yugoslavia by enterprises which have been taken other than by nationalization.

Article 7

Claims of nationals of the United States for war damage to property which has not been nationalized or otherwise taken prior to the date hereof shall be treated not less favorably than those of nationals of Yugoslavia, but no event less favorably than those of the nationals of any other country.

Article 8

The funds payable to the Government of the United States under Article 1 of this Agreement shall be distributed to the Government of the United States and among the several claimants, respectively, in accordance with such methods of distribution as may be adopted by the Government of the United States. Any determinations with respect to the validity or amounts of individual claims which may be made by the agency established or otherwise designated by the Government of the United States to adjudicate such claims shall be final and binding.

Article 9

(a) In the interest of an equitable distribution by the Government of the United States among the several claimants for participation in the amount to be paid by the Government of Yugoslavia in full settlement and discharge of claims in accordance with this Agreement, the Government of Yugoslavia will, upon the request of the Government of the United States, and to the extent possible, bearing in mind the wide-spread destruction of property and books and records in Yugoslavia caused by the war, furnish such information, including certified copies of books, records or other documents, as may be necessary or appropriate to support or refute, in whole or in part, any claim for participation in such amount, and to the same end will permit, in a manner consistent with Yugoslav law, the taking of depositions of such witnesses as may be requested by the Government of the United States.

(b) In the interest of protecting the Government of Yugoslavia from the possible assertion through third countries, or otherwise, of claims falling within the scope of this Agreement, the Government of the United States will supply to the Government of Yugoslavia, certified copies

of such formal submissions as may be made by claimants to such agency as may be established or otherwise designated by the Government of the United States to adjudicate claims to participation in the funds to be paid by the Government of Yugoslavia pursuant to this Agreement and of the corresponding awards of such agency with respect thereto. A certified copy of each such submission and award will be supplied to the Government of Yugoslavia within a reasonable time after its receipt or announcement. Subject to such rules and regulations as may be established with respect to proceedings of such agency, the Government of the United States further agrees to make available to the Government of Yugoslavia, upon its request, certified copies of transcripts of any proceedings before such agency and certified copies of documents submitted to such agency in support or in refutation, in whole or in part, of any claim submitted thereto. Subject to such rules and regulations, and with the consent of such agency, the Government of Yugoslavia may file briefs as *amicus curiae* with respect to any specific claims.

Article 10

(a) The Government of Yugoslavia shall authorize persons residing in Yugoslavia who are legally indebted to any individual, firm, or governmental agency in the United States, to meet such indebtedness on maturity.

(b) To the extent feasible, considering Yugoslav foreign exchange resources and regulations, and when necessary to effectuate the purposes of paragraph (a) of this Article, the Government of Yugoslavia shall permit the use of dollars by, or provide dollars to those Yugoslav residents legally owing dollar obligations arising from commercial transactions involving goods or services.

Article 11

The Government of Yugoslavia agrees to give sympathetic consideration to applications for transfers to the United States of deposits in banks of Yugoslavia and other similar forms of capital owned by nationals of the United States, where the amounts involved are small but which, in view of the circumstances, are of substantial importance to the persons requesting the transfers.

Article 12

The present Agreement shall come into force and effect upon the date of signature.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed the present Agreement.

AGREEMENT REGARDING SETTLEMENT FOR LEND-LEASE, MILITARY RELIEF, AND CLAIMS

The Government of the United States of America and the Government of the Federal People's Republic of Yugoslavia have reached an understanding regarding settlement for lend-lease, for the obligation of the Government of Yugoslavia to the Government of the United States for civilian supplies furnished as military relief, and for other claims of each Government against the other arising out of the conduct of the war. In arriving at this understanding, both Governments have recognized the benefits accruing to each from the contributions of both to the defeat of their common enemies. This settlement is complete and final and both Governments agree that, except as provided in this Agreement, no further benefits shall be sought by either Government from the other as consideration for the foregoing.

1. The term "lend-lease article" as used in this Agreement means any article transferred by the Government of the United States under the Act of March 11, 1941:

(a) to the Government of Yugoslavia, or

(b) to any other government and retransferred to the Government of Yugoslavia.

2. The Government of Yugoslavia receives, without qualification as to disposition or use, full title to all lend-lease articles, other than those described in numbered paragraphs 3 and 4 below.

3. The Government of the United States reserves the right to recapture any lend-lease articles of types defined as arms, ammunition and implements of war by Proclamation Number 2776 issued by the President of the United States on March 26, 1948, 13 Federal Register 1623, March 27, 1948, which are held by the Government of Yugoslavia on the date on which notice requesting return is communicated to the Government of Yugoslavia. The Government of the United States has indicated that it does not intend to exercise generally its right to recapture such articles. The Government of Yugoslavia will not retransfer or dispose of such articles to any third country or for export without the prior consent of the Government of the United States.

August 1, 1948

THE RECORD OF THE WEEK

4. To the extent required by United States law, vessels which were made available to the Government of Yugoslavia under lend-lease will be returned to the Government of the United States.

5. The Government of Yugoslavia, in consideration of supplies and services received as lend-lease, in consideration of its obligation to the Government of the United States for civilian supplies received as military relief, and in consideration of the other provisions of this Agreement, will pay to the Government of the United States the sum of 45,000,000 Yugoslav dinars, by either of the methods designated in subparagraphs (a) and (b) below, or any combination thereof, designated by the Government of the United States:

(a) By delivery of title to the Government of the United States of such real property and improvements to real property in Yugoslavia for diplomatic or consular purposes, as may be selected and determined by agreement between the two Governments, at values or prices to be agreed between the two Governments;

(b) By providing to the Government of the United States, at such time or times and in such amounts as may be desired by the Government of the United States, Yugoslav currency to be used for the purchase of such real property and improvements to real property in Yugoslavia for diplomatic or consular purposes or for such other expenses of United States diplomatic or consular missions, excepting the purchase of commodities for export, as the Government of the United States may desire. The Government of Yugoslavia agrees that with respect to the Yugoslav dinars to be paid by the Government of Yugoslavia as above, the Government of Yugoslavia will grant the Government of the United States privileges and rates of conversion, in the event of any future currency conversion, no less favorable than those granted generally to nationals of Yugoslavia and in no event less favorable than those granted to the Government of any third country. The Government of Yugoslavia agrees that, should any future currency conversion nevertheless result in inequity to the Government of the United States with respect to any amount of such Yugoslav dinars, the privileges and rates of conversion to be applied to such amount of Yugoslav dinars shall be subject to agreement between the two Governments.

6. In reference to numbered paragraph 5 above, in case the Government of the United States wishes to acquire any property located in Yugoslavia, real or personal, tangible or intangible, except for export, or to furnish any property so located, the Government of Yugoslavia will at any time or times, as requested by the Government of the United States, enter into negotiations, and use its best efforts consistent with public policy, to reach an agreement with the Government of the United States whereby there will be delivered to the Government of the United States the properties, improvements, or furnishings which the Government of the United States desires or its representatives have selected. Representatives of the Government of the United States may at their discretion conduct discussions directly with owners of property or with contractors for improvements or furnishings as to fair terms and prices prior to the delivery of such property or improvements or furnishings to the Government of the United States.

7. The Government of Yugoslavia will process the claims described in the following subparagraphs (a), (b), (c), and (d) and will discharge the liability with respect thereto of the Government of the United States and of individuals, firms, and corporations against whom such claims are asserted:

(a) Claims against the Government of the United States, or respecting which the ultimate liability is that of the Government of the United States, arising from maritime incidents or transactions occurring on or after

April 6, 1941 and prior to July 1, 1946, asserted in connection with Yugoslavia or asserted anywhere by individuals, firms, and corporations, nationals of Yugoslavia at the time of the event giving rise to the claims.

(b) Claims of individuals, firms and corporations domiciled in Yugoslavia at the time of the use or infringement giving rise to the claim against the Government of the United States, its contractors or subcontractors, for royalties under contracts for the use of inventions, patented, unpatented, or for infringement of patent rights, in connection with war production carried on or contracted for on or after April 6, 1941 and prior to July 1, 1946 by the Government of the United States, its contractors or subcontractors.

(c) Claims of individuals, firms, and corporations domiciled in Yugoslavia at the time of the event giving rise to the claim against the Government of the United States arising out of the requisitioning on or after April 6, 1941 and prior to July 1, 1946 for use in the war program property located in the United States in which the claimant asserts an interest.

(d) Claims, whether contractual or noncontractual, of individuals, firms, and corporations domiciled in Yugoslavia at the time of the event giving rise to the claim against the Government of the United States, its agents, employees, and military personnel, arising out of any act or omission of its agents, employees, and military personnel, both line-of-duty and non-line-of-duty, occurring on or after April 6, 1941 and prior to July 1, 1946.

8. The Government of the United States and the Government of Yugoslavia, except as otherwise provided in this Agreement, mutually waive all claims of each against the other, and against agents, employees, and military personnel of the other, described in the following subparagraphs (a), (b), (c), (d) and (e):

(a) Claims arising out of lend-lease.

(b) Claims arising out of military relief.

(c) Claims arising out of the procurement or furnishing of supplies and services through any other arrangement on or after April 6, 1941 and prior to July 1, 1946, other than claims of Yugoslav nationals for services performed for the United States Forces while in the custody of such Forces and represented by military payment orders or certificates of credit balances issued by such Forces.

(d) Claims arising out of the billeting of personnel on or after April 6, 1941 and prior to July 1, 1946.

(e) Claims arising out of maritime collisions and other ocean shipping incidents and transactions occurring on or after April 6, 1941 and prior to July 1, 1946.

9. Nothing in this Agreement affects the obligation of the Government of Yugoslavia under Article IV of the Preliminary Agreement of July 24, 1942.

10. To the extent that the provisions of this Agreement are inconsistent with those contained in any previous agreement, the provisions of this Agreement shall prevail.

11. This Agreement shall be effective upon the date of signature.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed the present Agreement.

DONE in duplicate, in the English language, at Washington this nineteenth day of July, 1948.

For the Government of the United States of America

GEORGE C. MARSHALL

Secretary of State

For the Government of the Federal People's Republic of Yugoslavia:

OBREN BLAGOJEVIC

Deputy Minister of Finance

Department of State Bulletin

Third Currency Reform Law in Germany

[Released to the press by the OMGUS June 26]

The military governors of the American, French, and British zones announced at 1300 hours today (26 June 1948) the third law for the reform of the currency.

As is already known, the first law for the reform of the currency was announced on 18 June;¹ and the second law, which did not affect the public directly, but which authorized the Bank Deutscher Laender to issue currency and limited the maximum amount of currency which could be issued, was announced on 21 June.

The third law, which goes into effect at midnight on June 26, sets the rate and conditions for the exchange of old money for new and also prescribes what must be done about old debts, contracts, wage scales, social insurance, other forms of insurance, et cetera, now that new currency has been issued.

In the explanation of Law Three which follows, the term "old money credit balances" (*Altgelduthaben*) will be understood to mean the sum of cash surrendered and deposits reported during the last week by individuals and family heads on form A and by enterprises on form B.

Law Three is long and complicated and is already supplemented by three "administrative regulations", but the following summary covers the most important points affecting the vast majority of the population:

1. **CONVERSION RATE:** In principle, old money credit balances (which by definition include surrendered cash) reported on forms A or B will be converted into deutsche marks at the rate of one deutsche mark for every 10 old marks. However, the law provides for investigation of all but a minimum amount (as explained under 4) before any conversion takes place.

2. **FREE AND BLOCKED ACCOUNTS:** One half of the deutsche marks after conversion will be credits to a "free deutsche mark account" (*Freikonto*) and the other half will go into a "blocked deutsche mark account" (*Festkonto*).

Money in the Freikontos may be withdrawn and used as soon as the financial institutions involved have completed the necessary clerical work.

Military Government will issue further regulations concerning the money in the Festkontos within 90 days. The law makes no promises or predictions as to what will be done with the Fest-

Statement by Secretary Marshall on Berlin Situation

[Released to the press July 21]

I can merely say at this time that our position I think is well understood. We will not be coerced or intimidated in any way in our procedures under the rights and responsibilities that we have in Berlin and generally in Germany. At the same time we will proceed to invoke every possible resource of negotiation and diplomatic procedure to reach an acceptable solution to avoid the tragedy of war for the world. But I repeat again, we are not going to be coerced.

kontos. They will be released as and when economic conditions permit, except for those balances that the tax authorities have found to be of illegal origin.

3. **POSSIBLE ADDITIONAL CLAIM:** In addition to the conversion of one deutsche mark for ten old marks, the law provides that holders of the old money credit balance may at some future time be granted a further claim of a maximum of one deutsche mark for every ten old marks.

Military Government will decide in what amount and in what manner this claim may be granted but only after considering the views of the competent German legislative bodies. The law does not suggest any of the forms this additional payment might take.

4. **CLEARANCE BY TAX OFFICE:** The currency-reform laws have been carefully designed to catch speculators and profiteers. As is already known, one copy each of form A and form B has been sent on to the appropriate tax office. However, it is obvious that examination of these forms in the tax office will take a considerable time. Therefore, Law Three provides that in the case of individuals or families who have reported on a single form A, 5,000 reichsmarks of the total amount of the old money credit balance will be released for conversion immediately without clearance by the tax office.

In the case of tradesmen or members of a pro-

¹ BULLETIN of June 27, 1948, p. 835.

fession, the amount which can be converted immediately will be increased to 10,000 reichsmarks, if the applicant produces a "provisional clearance certificate" from the tax office.

In the case of enterprises, the total amount of the old money credit balance reported on form B will be released for immediate conversion if a provisional clearance certificate is obtained from the tax office. A certificate from the labor office or a wage-tax declaration indicating that the enterprise employs at least 20 persons will be accepted in lieu of the provisional clearance certificate from the tax office.

Thus an adequate supply of money will be available immediately to meet the essential needs of all citizens and keep trade and industry going, and a bottleneck at the tax office will be avoided.

Under the above procedure, the tax office is also enabled to prevent the conversion of illegal earnings, since the Festkontos will not be released until the tax-office investigations are complete, regardless of whether or not the Festkontos are released in principle by Military Government decision. Also, no old money credit balance which is not converted immediately under the above provisions can be converted before final tax-office approval is given.

5. INVESTIGATION BY TAX OFFICE: The tax office will investigate on the basis of the forms A and B which have been submitted whether all taxes due have been paid. Unless otherwise provided in Law Three or regulations made thereunder the provisions of the existing tax laws (*Reichsabgabenordnung*) will apply. If tax evasions or illegal transactions are discovered, a reichsmarks fine will be imposed. Where the tax evasion is related to illegal transactions, the fine will be so calculated as to amount, together with the amount of tax due, to a sum at least equal in reichsmarks to the amount gained by the offender in the illegal transactions. In other words, the tax office is in position to wipe out any profit made by illegal dealings. In cases where reichsmark balances do not cover back taxes and fines, payment must be made in deutsche marks at the rate of one to ten or out of other property of the offender.

6. DEDUCTIONS FOR DEUTSCHE MARKS ALREADY ISSUED: The 60 deutsche marks per capita which has already been given out in cash and credit to each member of the population must be counted as part of the one-for-ten conversion provided for in Law Three. That is, each person who has already drawn 40 deutsche marks and received the right to obtain another 20 deutsche marks later on is considered to have used up the first 540 reichsmarks in his old money credit balance. (The figure here is 540 instead of 600 since due allowance is made for the 60 reichsmarks handed in in cash at the time the 60 deutsche marks per capita were given or credited in exchange.)

This in effect means that those persons who have

old money credit balances of more than 540 marks per person have not been given the more favorable exchange rate which is reserved for persons who have really small holdings of money.

Here is an example of how the above deduction is applied: Suppose that a family of five has reported on its form A an old money credit balance of 10,000 reichsmarks. Five hundred forty marks must be deducted for each member of the family leaving a total of 7,300 reichsmarks. But only 5,000 of this can be converted immediately. This conversion yields 500 deutsche marks, of which 250 go into the family's Freikonto available for immediate use, while the other 250 deutsche marks go into the family's Festkonto. The remaining 2,300 reichsmarks can be converted in the same manner after final clearance by the tax office.

Similarly, the old money credit balance of enterprises will be reduced by 10 reichsmarks for every deutsche mark which has already been released to these enterprises as a temporary assistance. Thus an enterprise with 100 workers which has already received 6,000 deutsche marks (60 per worker) would have its old money credit balance reduced by 60,000 reichsmarks.

7. UNREPORTED CREDIT BALANCES: Old currency credit balances which were not reported on form A or B by 26 June as provided in Currency Reform Law No. 1 cannot be converted. However, special provision is made for prisoners of war who have recently returned or who will be returning in the near future and for some other exceptional cases.

8. OLD CURRENCY CREDIT BALANCES WHICH ARE NOT CONVERTIBLE: The old currency credit balances of all governmental agencies, the railway and postal administrations, the NSDAP, the Reich, the Reichsbank, et cetera, will not be converted. In other words, the reichsmark accounts of these agencies will be wiped out. A reasonable one-time payment of new currency will be made to governmental agencies to start their operations. The funds of the occupying powers, including the reichsmarks collected for food imports, will also receive this treatment.

9. DEBTS: In general, reichsmark debts which were still unpaid on 21 June will be settled by the debtor paying to the creditor one deutsche mark for every 10 reichsmarks due. Should any additional claim be allowed to holders of old money credit balances (*Altgeldguthaben*), creditors will be treated accordingly. Forthcoming German legislation on equalization of burdens is expected to take care of cases where the debtor makes profit by virtue of the conversion of his debt from reichsmarks to deutsche marks. The following reichsmark obligations, however, will be settled by the debtor paying to the creditor one deutsche mark for each reichsmark due:

(a) Wages and salaries, rentals, annuities, pen-

tions, and other recurrent payments coming due after 20 June 1948;

(b) Obligations arising out of contracts for the purchase of goods or services insofar as the contracts were not fulfilled before 21 June 1948;

(c) Certain obligations arising out of settlements between partners, coheirs, married persons, divorced persons, and parents and children;

(d) All reichsmark obligations incurred on 19 and 20 June 1948.

any person liable for a money debt under the provisions of (b) above may, with certain exceptions, withdraw from the contract at any time before 1 July 1948.

10. **DEBTORS' RELIEF:** The law provides that the courts can order postponement or reduction of debts which the debtor cannot reasonably be expected to pay on the date due. However, wages and salaries falling due after 20 May 1948 may not be reduced or postponed under the above provisions.

11. **MORTGAGE BONDS:** Mortgage bonds, agricultural mortgage bonds, municipal bonds, and other certificates of indebtedness issued by mortgage banks, institutions for municipal credit, ship-mortgage banks, and sinking-fund institutions will be converted by substituting one deutsche mark for every 10 reichsmarks or gold marks.

12. **SOCIAL INSURANCE:** The law states that the reform of social insurance shall be the responsibility of German legislative bodies. Pending such reform, social-insurance payments will for the time being be made in the same nominal amount in deutsche marks as was previously required in reichsmarks. Land governments may alter social-insurance payments and contributions until the enactment of new legislation by German legislative bodies.

13. **INSURANCE OTHER THAN SOCIAL INSURANCE:** The paid-in value of life-insurance policies or insurance contracts will be scaled down on the basis of one for ten like other private debts. In view of the nature of insurance this does not mean an automatic reduction in future benefits of as much as 90 percent.

14. **ADAPTATION OF LABOR AND CIVIL SERVICE LEGISLATION:** Employment contracts entered into before 21 June 1948 which, in accordance with existing provisions or agreements, may be terminated only after 30 September 1948, may nevertheless be terminated by six weeks' notice expiring on the day falling midway between the earliest permissible date for giving notice under the contract and 30 September 1948, but in any case not later than 31 March 1949. If the agreed salary amounts to more than 800 reichsmarks per month, the employment contract may be terminated by four weeks' notice expiring 30 September 1948.

August 1, 1948

The Law also gives authority to (1) the Executive Committee of the Bizonal Economic Administration, (2) the Bank Deutscher Laender, and (3) the Land governments to take such measures in the field of civil service law, and particularly in regard to pay and allowances, as may appear to them necessary to stabilize the currency and public finances. This amounts to broad authority to adjust pay and allowances and certain other working conditions of practically all civil servants, including railway and postal employees, in the three Western Zones. This special authority will expire 31 March 1949.

15. **PROHIBITION OF BUDGETARY DEFICITS:** Although reichsmark balances of public authorities were wiped out without conversion, the law provides that expenditures of public authorities must be covered by current incomes. Procurement of necessary funds by borrowing will be lawful only to the extent that loans are covered by anticipated future revenues. Military Government reserves to itself the right to intervene in budgetary matters if the maintenance of this principle is imperiled.

16. **EQUALIZATION OF BURDENS:** The funds required to carry out the equalization of burdens arising out of inflation and currency reform will be provided by means of special levies on property, the receipts from which will be paid to an equalization fund outside the budget. Further provisions for the equalization of burdens are to be made in German legislation to be enacted by 31 December 1948, as called for in the preamble of the first currency-reform law.

17. **PENAL PROVISIONS:** Prison terms of up to five years and fines of up to 50,000 deutsche marks, or both, are provided for persons wilfully violating this law.

18. **DATE EFFECTIVE:** This law will come into force on 27 June 1948.

Settlement of Lend-Lease and Reciprocal-Aid Accounts in the United Kingdom

The Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland have reached agreement regarding settlement of lend-lease and reciprocal-aid accounts and certain financial claims of each Government against the other.¹ This agreement modifies and supplements the specific agreements between the two Governments signed on March 27, 1946, which implemented the joint statement of December 6, 1945, regarding settlement for lend-lease, reciprocal aid, surplus war property, and claims.²

¹ For text of the agreement, see Department of State press release 566 of July 15, 1948.

² BULLETIN of Apr. 7, 1946, p. 581, and Dec. 9, 1945, p. 905.

Reference Materials to U.S. Licensed Newspapers in Germany

EXCHANGE OF LETTERS BETWEEN ASSISTANT SECRETARY SALTZMAN AND WILLIAM BENTON

July 6, 1948

DEAR MR. SALTZMAN:

I've been in touch with the United States delegates who shared with me the responsibility of representing our country at the United Nations Conference on Freedom of Information at Geneva this spring. We have developed a project on which we should like to have your advice and assistance.

Those members of our delegation who had the opportunity to visit the U.S. Zone of Germany were impressed with the seriousness of the problems faced by U.S. licensed newspapers in their earnest efforts to create a free German press. One of these problems is lack of reference materials.

Mr. Harry Martin, President of the American Newspaper Guild, who was one of our U.S. Delegates, reported as follows: "Almost without exception the editors and their staffs said to me that the lack of suitable reference books is their greatest single handicap. The only such books left to our friends of the German press today are those which were so badly doctored by the Nazis that they are no longer serviceable or dependable."

Since these German newspapers do not have the foreign exchange to buy reliable reference works I have undertaken to provide, without charge, fifty-one sets of the Encyclopaedia Britannica for this purpose.

Joining me in sponsoring this proposed gift are the other five U.S. Delegates of the Geneva Conference: Mr. Sevellon Brown, Editor and Publisher of the Providence Journal and president of the American Press Institute; Mr. Erwin Canham, editor of the Christian Science Monitor and president of the American Society of Newspaper Editors; Professor Zechariah Chafee, Jr. of Harvard University; Mrs. Oveta Culp Hobby, executive vice-president of the Houston Post; and Mr. Harry Martin of the Memphis Commercial Appeal, and president of the American Newspaper Guild.

Our delegates were again impressed at Geneva with the fact that freedom of the press cannot be fully realized in the absence of adequate facilities. In their official report they stated: "Effective freedom of information—with all that it connotes for the democratic way of life—is impossible on both the national and international planes in the case of countries suffering from crippling deficiencies in the sinews of communication." This reference book project is a token of their belief.

The fifty-one sets of the Encyclopaedia Britannica are intended one each for the forty-nine license dnewspapers in the U. S. Zone; one for DENA the U.S. sponsored news agency in our zone; and one for the U.S. sponsored news agency in Austria. I am attaching a list of forty-nine newspapers which was currently available this spring. It is possible that there may have been changes since then, and we shall be glad to make adjustments.

We would appreciate your comments on this proposal, and if you are agreeable we would be glad to have you or OMGEUS make the distribution.

Very sincerely yours,

WILLIAM BENTON,
Publisher

July 16, 1948

DEAR MR. BENTON:

I am very happy to have your letter of July 6, 1948, describing the generous project which you have undertaken in association with your fellow-delegates to the recent United Nations Conference on Freedom of Information at Geneva.

Your proposal to provide 51 sets of a reliable and universally acceptable reference work such as the Encyclopaedia Britannica for the use of journalists in Germany and Austria will meet a need keenly felt by men now striving against great handicaps to develop a democratic press in those countries. It will contribute materially to the carrying out of the basic reorientation objective of our occupation policy. This is a heartening example of how public-spirited citizens in their private capacities can supplement and strengthen important overseas programs of our Government which are conducted with the necessarily limited public funds available for the purpose. In a wider sense, your project serves to demonstrate the sincere devotion of the American people to the principle of freedom of information, which underlies the public statements of our official representatives at international gatherings.

I am referring a copy of your letter to the Department of the Army for their guidance in arranging to receive this handsome gift for distribution in the occupied areas under their jurisdiction. It is noted in this connection that adjustments will be feasible to accord with any changed circum-

ances since your tentative list of appropriate recipients was compiled.

The Department of State is deeply gratified to be informed of this project and confidently believes that it will have the great and continuing results which you and your associates seek.

Sincerely yours,

CHARLES E. SALTZMAN
Assistant Secretary

U.S. Zone Licensed Newspapers

Swabia:

Fraenckische Landeszeitung, Ansbach; Main Echo, Aschaffenburg; Schwaebische Landeszeitung, Augsburg; Suedost-
rrier, Bad Reichenhall; Fraenkischer Tag, Bamberg;
Fraenckische Presse, Bayreuth; Neue Presse, Coburg;
Schland Bote, Garmisch-Partenkirchen; Frankenpost,
of; Donau Kurier, Ingolstadt; Der Allgaeurer, Kempten;
r Post, Landsbut; Muenchner Merkur, Munich; Sued-
utsche Zeitung, Munich; Nuernberger Nachrichten,
remberg; Passauer Neue Presse, Passau; Mittel-
yerische Zeitung, Regensburg; Oberbayerisches Volks-
att, Rosenheim; Der Volkswille, Schweinfurt; Der Neue

Tag, Weiden; Main Post, Wuerzburg; Niederbayerische
Nachrichten, Straubing.

Hesse:

Darmstaedter Echo, Darmstadt; Frankfurter Neue Presse,
Frankfurt; Frankfurter Rundschau, Frankfurt; Fuldaer
Volkzeitung, Fulda; Giessener Freie Presse, Giessen;
Hessische Nachrichten, Kassel; Kasseler Zeitung, Kassel;
Offenbach Post, Offenbach; Marburger Presse, Marburg;
Wetzlarer Neue Zeitung, Wetzlar; Wiesbadener Kurier,
Wiesbaden; Werra Rundschau, Eschuege.

Wuerttemberg-Baden:

Neue Wuerttembergische Zeitung, Goepingen; Rhein
Neckar Zeitung, Heidelberg; Heilbronner Stimme, Heil-
bronn; Badische Neueste Nachrichten, Karlsruhe; Der
Mannheimer Morgen, Mannheim; Sueddeutsche All-
gemeine, Pforzheim; Das Wuerttembergische Zeit Echo,
Schwaebisch-Hall; Stuttgarter Nachrichten, Stuttgart;
Stuttgarter Zeitung, Stuttgart; Fraenckische Nachrichten,
Tauberhofsheim; Schwaebische Donau Zeitung, Ulm.

Berlin:

Der Tagesspiegel, Berlin; Der Abend, Berlin.

Bremen:

Weser Kurier, Bremen; Nordsee Zeitung, Bremerhaven.

Hungary Assures U.S. That Its Citizens Are Not Restricted in Listening to Voice of America

EXCHANGE OF NOTES BETWEEN THE U.S. AND HUNGARY

[Released to the press July 22]

July 20, 1948

The Secretary of State presents his compliments to the Chargé d'Affaires ad interim of Hungary and acknowledges the receipt of the Legation's te No. 3330/1948 of July 14, 1948, concerning a recent statement by the Assistant Secretary of State for Public Affairs regarding persons in Hungary who listen to "Voice of America" broadcasts.¹

The Secretary of State welcomes particularly the statement, in the note under reference, that there are no legal or police restrictions in Hungary against any citizens listening to American broadcasts and that no one has been persecuted or arrested there for listening to American or any other broadcasts. The Government of the United States is convinced that the peoples of the world must be permitted to obtain news from a multiplicity of sources both within and outside their national boundaries, if they are to be able to judge for themselves the truth or falsehood of the information they read or hear.

As the United States Delegation emphasized at the recent conference on Freedom of Information in Geneva, "Freedom to Listen" has become a cardinal requirement in the modern world. The Government of the United States is led to assume, from the Legation's statement, that the Hungarian

Government intends to give effect to this principle. The American public had gained a contrary impression regarding the Hungarian Government's attitude on this point, not only from reports received from Hungary but also from the tenor of statements appearing in the Hungarian press itself. The Secretary of State therefore welcomes the Legation's affirmation that these impressions are unfounded.

The Secretary of State also notes the Legation's categorical denial of recent articles in American newspapers including a report alleging that collectivization of land in Hungary is imminent and, in this connection further, the Legation's reference to explicit declarations by the Hungarian Government on several occasions that it has not the remotest intention of introducing this measure in Hungary.

In the light of the considerations stated above, the Government of the United States believes that public understanding both here and in Hungary will be served by the release of this correspondence to the press and that free peoples everywhere will observe attentively the support which the Hungarian Government gives in the future to the principle of "Freedom to Listen".

¹ BULLETIN of July 18, 1948, p. 91.

A copy of this communication is being transmitted to the Hungarian Government through the American Legation in Budapest, which is in receipt of a note from the Hungarian Foreign Office on the same subject.

DEPARTMENT OF STATE,
Washington

July 14, 1948

The Chargé d'Affaires ad interim of Hungary presents his compliments to the Honorable the Secretary of State and upon instructions received from his Government has the honor to draw his attention to the following:

On July 10, 1948 several newspapers in the United States published a statement made by Mr. George V. Allen, Assistant Secretary of State for Public Affairs in which he denounced the Government of Hungary for arresting and charging persons for listening to broadcasts of the "Voice of America".

In the above mentioned statement Mr. Allen himself admits that there exist "no legal or police restrictions against listening to American broadcasts" in Hungary but he maintains "that these measures take the form of arrest of persons on charges of inciting against Hungarian democracy. The police cite as one of the evidences of guilt, the fact that the persons arrested have listened to 'Voice of America' broadcasts".

The Chargé d'Affaires ad interim of Hungary deeply regrets that he has to denounce the statement of Mr. Allen as being entirely mistaken and not covering the facts. The situation in Hungary is that not only are there no legal or police restrictions against any citizens listening to American broadcasts in Hungary but never has anybody been persecuted or arrested in Hungary for listening to American or any other broadcasts. In fact the Hungarian police have never detained anybody with the charge that he or she listened to American broadcasts.

The Chargé d'Affaires ad interim of Hungary has no doubts that in accordance with Paragraph B, of the Presidential Executive Order of March 8, 1927 the appropriate United States diplomatic representatives in Budapest have been "keeping the American Government promptly and accurately informed" of the situation as it existed in Hungary and in their reports have given a denial to Mr. Allen's statement to that effect.

It goes without saying, however, that police in Hungary will detain and prosecute anybody who incites against Hungarian democracy according to the law voted by the Hungarian Parliament which was duly elected by the free will of the Hungarian people. This is a primary duty of Hungarian policemen entrusted with the peaceful enforcement of the law.

The Chargé d'Affaires ad interim of Hungary has no doubts that the Honorable Assistant Secretary does not wish Hungarian law enforcing of-

ficers to disobey the laws entrusted to them by the democratic Government of Hungary as this would indeed, present a serious case of interference by a foreign government official of high standing into the internal affairs of a sovereign nation with which the United States maintains peaceful and orderly diplomatic relations. Furthermore, the Chargé d'Affaires ad interim of Hungary has no doubt that the Assistant Secretary does not wish to induce the responsible Government of Hungary to the infringement of the fulfilling of the obligations as imposed by the Peace Treaty which was agreed upon by the Allied Powers after their joint victory over Nazism and Fascism. This Treaty to the enforcement of which the United States assumed a commitment of support, clearly indicates that one of the primary duties of the responsible democratic Government as set forth, is to uproot and abolish the existing remnants of notorious prewar and wartime Hungarian reactionary Fascist regimes. These remnant elements are a constant threat to world peace by their spreading of war propaganda and inciting hatred between peaceful nations. Thus the Hungarian law prosecuting them evolved from the necessity of a crucial situation in the development of Hungarian democracy, and constitutes merely an exercise in the right of self-defense of a sovereign, democratic government.

The Chargé d'Affaires ad interim of Hungary, however, concedes that it is a most regrettable occurrence that the persons on whose recent arrests Mr. Allen has based his above-quoted statement, when detained for spreading the rumor of the dropping of atomic bombs over Hungary, only a matter of a few weeks, claimed that it was the "Voice of America" broadcasts which bore directly on their actions.

Hungarian law enforcement officers commendably fulfilling their duty, cannot by any means be made responsible for the fact that persons in detention refer the general prospect of an atomic war to broadcasts which are headed by Mr. George V. Allen.

Mr. Allen, referring to the new broadcasts of the "Voice of America" says that they "are factual, objective reports such as the American public read and listens to daily in American newspapers and radio broadcasts".

The Chargé d'Affaires ad interim of Hungary takes this occasion to declare that in connection with events in Hungary in the course of the last few weeks several newspapers in the United States have published statements which were not only far from being "factual" and "objective" but were in their entirety, contrary to truth and misinforming the United States public about the actual situation in Hungary. They are in a direct contradiction to the principle of the First President of the United States who said that "It is essential that public opinion should be enlightened".

Reference has to be made to the report of Mr. John MacCormac of the July 1, 1948 issue of the New York Times in which he writes about collectivization of the land as about to be introduced in Hungary whereas the truth is that the present Hungarian Government on several occasions explicitly declared that it had not the remotest intention of introducing this measure in Hungary. In the same connection reference has to be made to certain reports published in numerous American newspapers concerning Hungarian monks and nuns fleeing the country because they do not want to serve in the nationalized schools whereas the truth is that most of the teachers of religious schools, monks and nuns included, are willing to continue their work in the schools and at the present time are engaged in negotiations with the government through their representative committee of four outstanding Catholic religious leaders, discussing the details of the transition of schools unto government control.

The Chargé d'Affaires ad interim of Hungary wishes to express his thanks and appreciation for the good office of the Honorable Secretary of State.

The Honorable
GEORGE C. MARSHALL
Secretary of State

Voice of America Broadcasts Strengthened in Europe Through New Relay

[Released to the press July 18]

Inauguration of a new relay of Voice of America broadcasts by the British Broadcasting Corporation was announced on July 18 by the State Department.

The news service, which goes into effect on July 18, is provided for in agreements recently negotiated between BBC and the State Department. It contemplates the use of five additional transmitters to increase the BBC relays of Voice of America broadcasts from the present three hours to nine hours a day.

George V. Allen, Assistant Secretary of State for public affairs, said the increased relay service was undertaken to improve the signal of Voice of America broadcasts to Europe and to insure a larger listening audience in this vital target area.

As in the past, the BBC relays will include long, medium, and shortwave broadcasts. They will be in addition to the eight hours daily now relayed by the State Department's European relay base in Munich.

U.S. Proposals Regarding Resumption of Delivery of Electric Power to South Korea

EXCHANGE OF LETTERS BETWEEN GENERAL HODGE AND GENERAL MERKULOV

[Released to the press July 23]

General John R. Hodge, Commander of U.S. Army Forces in Korea, to General Merkulov

July 12, 1948.

This is to acknowledge receipt of your letter of June 1948, which was delivered to me in Seoul 12 July.

As I have often stated in the past, the American command in Korea would welcome the opportunity to reach settlement for all electric power thereto received from northern Korea, and to come to a mutually satisfactory agreement relating to future deliveries of electric power. The American position in this matter has been clearly set forth by the United States Government note of June 1948¹ to the Soviet Government, which says, in part: "It is the view of this government that so long as Soviet forces remain in occupation of North Korea, the Soviet command cannot divest itself unilaterally of its responsibilities, including the responsibility incurred under the agreement

of June 17, 1947. Should the Soviet command persist in refusing to maintain an adequate flow of electric power to South Korea, the people of that area will thereby be subjected to unwarranted hardships."

Following directive of the American command in past power negotiations, I expect to designate qualified Koreans to participate in any future negotiations on the power question. Similarly, it is acceptable to the American command if the Soviet command wishes to designate certain Koreans to act as its authorized representatives in accepting commodities transferred in payment for power under the 17 June 1947 agreement, and to participate in any further negotiations regarding electric power.

In order to promote the best interests of the Korean people, both north and south of the thirty-eighth parallel, I propose the following:

¹ BULLETIN of July 11, 1948, p. 50.

1. Immediate resumption of the flow of electric power from northern to southern Korea.
2. Simultaneous dispatch of representatives of Soviet command to Seoul to accept delivery of the first of many train-loads of valuable electrical equipment and other commodities, which were ordered on world markets to meet the requirements specified by the Soviet command.
3. Concurrent dispatch to Seoul of fully authorized representatives of the Soviet command, or agents designated and properly accredited by the Soviet command with full powers to act in their behalf, for the purpose of concluding a settlement for electric power received after 31 May 1947, and of reaching an agreement regarding payment for electric power to be received during the remainder of the occupation.

General Serafim Petrovich Merkulov, Commander of Soviet Army Forces in Korea, to General Hodge

June 25, 1948

I confirm having received your letter of June 12, 1948.² I informed the North Korea Peoples Committee of your proposal that the American Military Government in South Korea will offer commodities to North Korea in compensation for the electric power supplied.

The North Korean Peoples Committee informed me that immediately the American Military Government pays for the electric power supplied to South Korea for the period from August 15, 1945, through June 1947, which was to have been paid in full by December 17, 1947, under provisions of the agreement dated June 14, 1947, it will resume supplying electric power to South Korea.

In view of your statement that the commodities to be sent to North Korea in payment of the electric power supplies are already in Seoul warehouses, the North Korean Peoples Committee has decided to dispatch its representatives to Seoul to take delivery of the said commodities, when the American Military Government in South Korea will have a satisfactory opportunity to pay for the electric power supplies, and at the same time, to reach an agreement on the electric power to be supplied to South Korea in future.

With regard to your proposal for holding a parley in connection with the payment for electric power supplies to South Korea, as I have informed you already on several occasions, negotiations on this matter will have to be conducted with the North Korean Peoples Committee. I am well aware of the fact that the proposal for the Peoples Committee to initiate such negotiations already was submitted to you in March this year.

I am convinced that if you accept the aforementioned proposal of the North Korean Peoples Committee, the question of electric power supply to South Korea will be settled at an early date.

² Not printed.

Procedure for Filing Claims With Finland

[Released to the press July 15]

The Department is in receipt of a note from the Finnish Legation which reads in part as follows:

"On April 23, 1948, the President of the Republic of Finland signed a law concerning compensation for losses caused by transferring of German property in Finland to the Union of Soviet Socialist Republics. On the basis of this law the Ministry of Finance gave on April 30, 1948 a decision according to which compensation for losses mentioned in said law are to be claimed in writing to the Ministry of Finance on or before June 30, 1948 or in case the permanent domicile or residence of the party entitled to compensation is outside Finland, on or before August 31, 1948. It is further stipulated in the decision that the parties entitled to compensation domiciled or residing abroad may within the time last mentioned above either deliver in person or send by mail the application for compensation to the Finnish Legations or to Consulates, the Chiefs of which are career officers."

The Department of State is seeking further information concerning the scope of the legislation involved but considers it desirable in the meantime to publish the information in view of the short time for filing claims. The offices in the United States which may receive such claims are the Legation of Finland, 2144 Wyoming Avenue, Washington, D.C., and the Finnish Consulate General, 53 Broadway, New York City.

It is suggested that American claimants inform the Department of any claims which they may file under the above legislation.

Belgium and Czechoslovakia Make Payments on Surplus-Property Credits

[Released to the press July 7]

The Department of State announced July 7 that the following payments have been received on U.S. war-surplus credit accounts:

Belgium has paid the sum of \$436,699.32 in principal and interest on its surplus credit account.

Czechoslovakia has paid the sum of \$182,164.03 in interest on its credit account. Both payments were made to the Paris office of the Foreign Liquidation Commissioner, Department of State, on July 1, 1948, the date they fell due.

The Belgian payment marks the second installment on the account. Of the \$436,699.32 paid, approximately \$118,000.00 was interest and the remainder principal.

The Czechoslovak interest payment is also the second paid on the account. Principal is not due until 1951. Both Belgium and Czechoslovak agreements provide interest at 2½ percent with annual payments over a 30-year period.

Adherence to General Agreement on Tariffs and Trade: Brazil, Burma, Ceylon, New Zealand, Pakistan, Syria, Lebanon

The President on July 15, 1948, issued a proclamation putting into effect as of July 30 and 31 the tariff concessions in schedule XX of the General Agreement on Tariffs and Trade, dated October 30, 1947, of primary interest to Ceylon and Lebanon and to Brazil and New Zealand, respectively.¹

The President's action followed receipt of information that the first two countries signed the protocol of provisional application of the general agreement on June 29, 1948, and that the latter two signed on June 30, 1948. The proclamation also states that Burma signed the protocol on June 29, 1948, and that Pakistan and Syria signed on June 30, 1948. Pursuant to the provisions of the protocol, each of these countries will become a contracting party to the agreement on the expiration of 30 days from the date of its signature.

The general agreement was entered into by the United States last October 30 at Geneva with 22 other countries. Application of it by the seven countries named brings to 22, out of the total 23, the number of negotiating countries applying the agreement. Chile, the remaining country, has asked for an extension of time in which to sign the protocol. In the case of six of the countries which have just adhered to the agreement, the event also marks the first entry into force of a trade agreement with the United States, Brazil being the only one of the seven which already had a trade agreement with this country. The earlier trade agreement with Brazil will be inoperative while both the United States and Brazil are contracting parties to the General Agreement on Tariffs and Trade.

Under the general agreement, the seven countries will make effective a wide range of tariff concessions benefiting the trade of the United States. Moreover, these countries, along with the other contracting parties, commit themselves to limitations with respect to the application of quotas, import restrictions, valuation for customs purposes, and the conduct of state trading. These provisions give important assurance that the trade of the United States will be accorded fair treatment. The United States on its part negotiated tariff concessions affecting a substantial volume of trade with all of the seven countries. The reciprocal benefits in the case of each of these countries are summarized below.

Brazil

In the general agreement Brazil granted concessions on products of primary interest to the United States representing about \$30,500,000 in terms of 1938 imports from the United States, or about one half of Brazil's total imports from the United States in that year.

The Brazilian duties used as a basis for negotiation were rates adjusted upwards by 40 percent under a plan consented to by the negotiators for the general adjustment of the Brazilian tariff designed to deal with changes in the value of the Brazilian currency and in the Brazilian price level. Concessions granted by Brazil consisted of reductions and bindings of adjusted duties and bindings on the free list. On the basis of 1938 figures, about 60 percent of United States export trade covered by Brazilian concessions (over \$17,000,000 out of \$30,500,000) will be dutiable at rates equivalent to less than 10 percent ad valorem on the basis of 1943 values; about \$5,000,000 more of that trade will be dutiable at between 10 and 20 percent ad valorem; and another \$3,500,000 will be subject to rates between 20 and 30 percent ad valorem. In addition, nearly \$2,500,000 in trade is assured a continuance of the present duty-free treatment.

Reductions in pre-agreement duty rates were granted by Brazil on a number of items of importance to the United States such as powdered milk, walnuts in the shell, canned fruit, radio tubes, coal-tar dyes, paraffin, turpentine, certain automobile parts, steel safes, cameras, ready-made woven cotton clothing (except shirts and drawers), and bituminous coal. The bindings granted on the adjusted tariff rates, or reductions therefrom, include such items as barbed wire, airplanes and parts, most trucks, power pumps, motion-picture films, photographic films and plates, steam boilers, power excavators and dredgers, pneumatic and electric tools, automatic refrigerators, most household machinery and appliances, calculating machines, linotypes and other typographical machines, and passenger automobiles.

The concessions made by the United States in the general agreement on products of primary interest to Brazil represent in terms of 1939 trade about \$100,200,000. Of this total, duty-free imports, on

¹ Proclamation 2798, 13 *Fed. Reg.* 4057.

THE RECORD OF THE WEEK

which bindings were granted, accounted for \$93,100,000, a large part of which consists of coffee. The dutiable imports amounted to \$7,100,000. The principal items in this category, on which bindings of existing rates or reductions therefrom were granted, include Brazil nuts, castor oil, manganese ore of more than 35 percent manganese content, mica, unmanufactured, valued above 15 cents a pound, cocoa butter, animal glues valued at less than 40 cents a pound, caffeine, theobromine, natural menthol, dried bananas, and various hardwood lumber items.

Burma

Items of principal interest to the United States on which Burma made concessions are canned milk, canned or bottled fruits and vegetables, lubricating oil, various chemicals, drugs and medicines, machinery, and typewriters. Because of its dollar shortage, the Government of Burma has restricted imports from hard-currency areas to those items which are most essential to its economic reconstruction program. It is expected that most dollar exchange will therefore be reserved for capital goods, particularly communications equipment, power equipment, mining and textile machinery, and other industrial materials for the rehabilitation of key industries.

United States concessions from which Burma will benefit include those on tungsten, nickel and alloys, copper and manufactures, and certain hides and skins.

Ceylon

Under the general agreement Ceylon granted concessions on products of primary interest to the United States which in terms of 1939 imports from the United States represented more than \$844,000. The United States will also benefit from additional Ceylonese concessions negotiated with other countries at Geneva, imports of which into Ceylon from the United States amounted to \$93,000 in 1939. These concessions were given in the form of reductions in the rates of duty, bindings against increase of existing moderate rates of duty, a binding of the duty-free status of one item, and a reduction in the margin of preference on another. Ceylonese concessions of principal interest to the United States were on apples and other fresh fruit, dried and canned fruit, condensed milk and milk foods, tobacco, machinery, radios, refrigerators, typewriters, paints, drugs, and medicines.

United States tariff concessions on products of interest to Ceylon apply to imports from Ceylon which amounted to \$20,788,000 in 1939. These concessions consisted of reductions in and bindings of rates of duty on imports from Ceylon in 1939 valued at \$162,000, and the binding of the duty-free status of imports from Ceylon which amounted to \$20,626,000 in 1939. United States

concessions of interest to Ceylon are on graphite, coconut oil, desiccated coconut, coir fiber, rubber, tea, cinnamon, and citronella oil.

New Zealand

New Zealand granted concessions on products of interest to the United States representing about \$12,896,000 in terms of 1939 trade. These concessions were given in the form of reductions in the rates of duty, bindings against increase of moderate rates of duty, reductions in the margin of preference, the elimination of certain margin of preference, and bindings of duty-free status. Some of the products falling into these categories are as follows: raisins, citrus fruits, certain canned fruits, agricultural machinery, automobiles, tractors, machine tools, office machinery, tobacco, motorcycles, cinema films, and surgical appliances. New Zealand eliminated preference on 11 items accounting for \$2,631,000 of New Zealand imports from the United States in 1939, namely: cigarettes, tobacco for cigars and cigarettes, grapes, and lemons (except for South Africa), canned prunes, sausage casings, furs, refrigerating apparatus, adding and computing machines.

The concessions on products of interest to New Zealand made by the United States apply to commodities valued at \$9,690,000 in terms of 1939 trade. United States tariff reductions apply to a total of \$1,579,000; bindings against increase of certain duties, to \$2,149,000; and bindings on the free list, to \$5,962,000. Among the products of interest to New Zealand on which the United States reduced or bound its duties are butter, beef, veal, mutton, certain grass seeds, and apparel wool. The bindings of duty-free status apply to the following products of interest to New Zealand: sheep and lamb skins, sausage casings, coney and rabbit furs, and New Zealand fiber.

Pakistan

In the general agreement Pakistan granted concessions on several important United States export products among which are dried and condensed milk, certain canned fruits and vegetables, drugs, oil crushing and refining machinery, typewriters and office machinery, agricultural machinery and tractors, radios, and automobiles. These concessions were in the form of reductions in the rates of duty, bindings against increase of existing duties, bindings of the duty-free status, and reductions in the margin of preference. Pakistan is an important source of United States imports of badminton and tennis rackets, carpet wools, wool rug and raw jute, items on which the United States granted concessions in the agreement. Since Pakistan achieved Dominion status only on August 15, 1947, there are no prewar trade figures available on either the quantity or value of our trade with Pakistan.

Syria-Lebanese Customs Union

In the general agreement, Syria and Lebanon granted tariff concessions on products of interest to the United States representing approximately \$1,784,000 in terms of 1938 trade, or 63 percent of total imports into Syria and Lebanon from this country in that year. The duties were reduced on 8 items, bound against increase on 17, and bound free on three. The items of principal interest to the United States are passenger automobiles, tires and tubes, machine tools, office machines, batteries, lentenfrices, and prunes. Among the concessions made by Syria and Lebanon was an undertaking to eliminate the differential duty treatment under which much higher duties have been imposed on

heavy passenger automobiles, which are imported chiefly from the United States, than on lighter automobiles, which are imported chiefly from countries other than the United States, and to provide a uniform rate for all such automobiles.

The concessions on products of interest to Syria and Lebanon made by the United States in the general agreement apply to commodities which represented approximately \$1,778,000 in terms of 1938 trade, or 72 percent of United States imports from Syria and Lebanon in that year. Reductions were granted on apricots, apricot pulp, chickpeas, Latakia-type tobacco, pistachio nuts, and thyme leaves. The duty-free entry of carpet wools, licorice root, and sausage casings was bound against change.

Fourth Semiannual Report of the Atomic Energy Commission Released**STATEMENT BY THE PRESIDENT**

[Released to the press by the White House July 24]

Today the fourth semiannual report of the Atomic Energy Commission is made public, almost on the eve of the second anniversary of the Atomic Energy Act of 1946. Every thoughtful person should become familiar with this report. Atomic energy is not only the Government's business; it is the vital concern of every citizen.

Two years have elapsed since the Atomic Energy Act became law, and it is now possible to see in the perspective the wisdom of that legislation. Rarely has the writing of a statute so challenged a nation's political courage and integrity. Never before has a nation victorious in war, and unequalled in power, demonstrated more concretely its devotion to peace and social progress.

The Atomic Energy Act stands upon four policy points. The first is that since a free society places the civil authority above the military power, the control of atomic energy properly belongs in civilian hands. The second is that until the technology of atomic energy is better understood and safeguards are devised to reduce the hazards of its use, the normal role of private enterprise in the development of a natural resource must be restrained, and public ownership maintained. The third point is that until controls are established at the international level to prevent the military use of atomic energy, we cannot, as a nation, afford to disclose the secrets which make this new force the most deadly form of military weapon. The fourth policy point is that we must not relax our efforts to probe deeper into the facts of nature, to derive increasing knowledge of atomic energy, both to supplement our defenses and to open new opportunities for peaceful progress.

As to the first of these principles, I have concerned myself, since becoming President, with

the difficult problem of balancing the civilian and military interests in atomic energy. It was my grave responsibility to make the decision which resulted in the first use of atomic weapons in time of war. Ever since that time, I have sought to eliminate atomic weapons as instruments of war, by seeking through the United Nations to put the control of the dangerous aspects of atomic energy beyond the reach of any individual nation. At the same time, without losing hope of achieving international control, I have directed that every effort be made toward maintaining the leading position of the United States in the knowledge of nuclear energy and its military applications.

Today we possess powerful atomic weapons. The recent tests conducted jointly by the Atomic Energy Commission and the armed services in the Pacific have demonstrated beyond any question that our position in the field of atomic weapons has been substantially improved. Such advances vindicate the faith of the American people in the principle of civilian control of atomic energy.

The progress which has been achieved under the present allocation of responsibilities is itself strong proof of the capacity of civilians and military men to work together in common cause.

As President of the United States, I regard the continued control of all aspects of the atomic-energy program, including research, development, and the custody of atomic weapons, as the proper functions of the civil authorities. Congress has recognized that the existence of this new weapon places a grave responsibility on the President as to its use in the event of a national emergency. There must, of course, be very close cooperation between the civilian commission and the Military Establishment. Both the military authorities and the civilian commission deserve high commendation

for the joint efforts which they are putting forward to maintain our nation's leadership in this vital work.

The Government of the United States holds in trust all our fissionable materials and production facilities. These are being used, on an increasing scale, to speed the discovery of applications of atomic energy to industry, agriculture, and public health. The Atomic Energy Commission reports that recent experiments hold out the promise of more efficient production on the farm and in the factory and of an increase of mechanical and human energy for doing the world's work. While this program is directed by an agency of the Government, the plants and laboratories are operated by leading industrial and research organizations through contracts with the Federal Government. I hope that, in due course, the Government will be able to permit greater participation by private industry in the development of atomic energy. When that time arrives, our industries and research organizations will be well prepared to carry forward the applications of atomic energy which will provide better living and better health for our people.

Secrecy is always distasteful to a free people. In scientific research, it is a handicap to productivity. But our need for security in an insecure world compels us, at the present time, to maintain a high order of secrecy in many of our atomic energy undertakings.

When the nations of the world are prepared to join with us in the international control of atomic energy, this requirement of secrecy will disappear. Our Government has sought, through its representatives on the United Nations Atomic Energy Commission, to find a common basis for understanding with the other member nations. However, the uncompromising refusal of the Soviet Union to participate in a workable control system has thus far obstructed progress.

The Atomic Energy Act has stood the test of two years of administration. There is no reason to question the sound basis on which it rests. In two years, the world has found no ready answer to the problem of war and peace. Atomic energy, therefore, remains a fearful instrument of destruction and a wonderful invitation to progress through peace.

Proposed Amendments by the President to the Displaced Persons Act of 1948

[Released to the press by the White House July 23]

The President has completed the amendments which he will recommend that the Congress, during the forthcoming special session, make to the law for the immigration of displaced persons, passed by the Congress at the end of the last session. In general, the amendments he will propose follow the lines of the statement he issued on June 25, when he signed this law.¹

The amendments which the President will propose include the following:

(1) The elimination of all features of the law whose effect is to discriminate by reason of race or religion. The chief discrimination of this sort is the date limitation introduced into the law. It now provides that, except for the recent Czech refugees, no displaced person or refugee can immigrate under this law unless he had arrived in the western zones of Germany or Austria or in Italy, by December 22, 1945. Since most of the Jewish displaced persons took refuge in the western zones of Germany and Austria and in Italy after that date and since that limitation also bars Catholic refugees from Yugoslavia and elsewhere who escaped after that date, the President proposes a substitute date—one urged by advocates of this legislation originally—April 21, 1947.

Other provisions of the present law which the President regards as discriminatory would also be eliminated by other amendments he is proposing.

¹ Public Law 774, 80th Cong., 2d sess.

(2) The law as passed by the Congress contains certain features which make it difficult of administration. Certain provisions require the submission of certain types of data and the making of certain kinds of arrangements in advance of granting of visas to displaced persons—conditions so rigidly framed that it will be very difficult for the displaced persons to comply with them. The result may be that instead of immigration in numbers fixed by the bill only a considerably reduced number can come in at all.

For example, there is a provision in regard to having a job prior to arrival. The President believes that the various social, welfare, and religious groups which will handle the problem in the United States will be in a position to solve all such questions effectively and that it is both sound and wise to place confidence in the fairness of the religious and welfare groups and in their ability to do the job well. The representatives of many of them have indicated that they can solve the difficulties confronting displaced persons on their arrival in this country but that it will be extremely difficult to proceed under the restrictive provisions unnecessarily introduced into the law at the present session.

(3) The President will propose an amendment to eliminate the so-called "Mortgaging of Future Quotas" provision. Under this provision future generations of prospective and desired immigrants seeking to enter the United States under the regular immigration quotas will be pe-

ed and will be unable to immigrate into the United States. This penalty will apply for many years. For example, in the case of immigrants seeking to come from Poland, the penalty will be in effect for almost an entire generation and in the case of immigrants seeking to enter from the Balkan countries the penalty will be in effect for 100 years or more.

(4) The President will propose an amendment increasing the number of displaced persons who may enter under this emergency bill, from 202,000 in two years, the figure in the present law, to approximately 402,000 in four years. This larger figure has been supported by experts ever since this subject was broached.

Cultural Leaders Awarded Grants-in-Aid

ile

Jorge Ugarte Vial, Director of the Library of the National Congress of Chile, has arrived in Washington for a three months' visit to consult with officials of the Library of Congress and to study the Legislative Reference Service of the library. His visit has been arranged under the travel-grant program of the Department of State in cooperation with the Library of Congress.

ba

Dr. Julián B. Acuña, head of the department of botany of the Agricultural Experiment Station in Santiago de las Vegas, Cuba, arrived in Washington June 28 for a three months' visit in this country in connection with a fiber-research project in which the United States and the Cuban station are collaborating. He will spend several days in consultation with officials of the Department of Agriculture before beginning a trip to various other cities to confer with fiber-research agronomists, breeders, and engineers. His visit has been facilitated through a grant-in-aid from the Department of State, awarded at the request of the Department of Agriculture.

exico

Fernando Obregón Fernández, chief of the technical office of the Directorate General of Fisheries and Allied Industries of the Ministry of Marine in Mexico, arrived in Washington June 28 for a three months' visit under the travel-grant program of the Department of State in cooperation with the Interior Department.

Rafael Orellana, archeologist of the National Institute of Anthropology and professor of anthropological sciences at the National University of Mexico, has arrived in Washington to spend three

months in this country visiting museums, and conferring with other experts in his field.

Mr. Orellana, whose visit has been arranged under the travel-grant program of the Department of State in cooperation with the National Gallery of Art, plans to spend two months in Washington, at the end of which time he will go to New York for further conferences and observation at the Metropolitan and Brooklyn Museums, returning to Mexico in October.

United States

Dr. Harvey L. Johnson, associate professor of Romance languages at Northwestern University, has been awarded a grant-in-aid by the Department of State for a series of lectures at the cultural centers in Montevideo, Asunción, Córdoba (Argentina), Lima, and La Paz. His lectures will cover subjects pertaining to Latin American studies and culture in the United States and intellectual and social development in the United States.

Walter M. Bastian, former assistant professor of English at the United States Naval Academy, Annapolis, has been awarded a grant-in-aid by the Department of State to serve as visiting professor of English at the University of El Salvador for one year, beginning this month. This grant was awarded in response to a request from the University in connection with its plans to inaugurate a three-year course in English and to build up a library of English books. The classes will be open to a limited number of outsiders as well as to university students.

Dr. Cecil R. Monk, director of the department of biology of Willamette University, Salem, Oregon, has received a grant from the Department of State to enable him to spend a year as visiting professor of biology at the Institute of Natural Sciences, Central University, Caracas, Venezuela. The University has invited Dr. Monk to assist in the organization of the department of biology to give courses in zoology and biology, and to do research in invertebrate zoology.

Uruguay

Felix de Medina, counselor and professor of the faculty of engineering of the University of Montevideo and director of the Machinery Institute of the same school, has arrived in Washington for a three months' visit in the United States under the travel-grant program of the Department of State. Mr. de Medina will visit schools of engineering in various parts of the country, his chief interest being in methods of teaching mechanical engineering and in laboratory equipment. He will also study methods of production of machinery, especially Diesel electric locomotives and gas turbines, and mass production of automobiles, airplanes, etc. He will visit the Railroad Fair in Chicago in August.

THE DEPARTMENT

Paul Daniels Appointed to Council of Organization of American States

The Secretary of State announced on June 21 the appointment of Paul C. Daniels as United States Representative on the Council of the Organization of American States. Ambassador Daniels succeeds in this capacity Ambassador William Dawson, who resigned for reasons of health.

In serving in his new post on the Council, Ambassador Daniels will continue his present duties as the Department's Director for American Republic Affairs. The Council of the American States, created by the charter approved at Bogotá, is a permanent representative council with members representing all the American republics. It supervises the Pan American Union and ascertains that all decisions of Inter-American conferences are carried out.

Willard Thorp Appointed to Inter-American Economic and Social Council

[Released to the press July 13]

The Secretary of State announced on July 13 the appointment of Willard L. Thorp, Assistant Secretary of State for economic affairs, as Representative of the United States of America on the Inter-American Economic and Social Council, replacing Paul C. Daniels, Director of the Department's Office of American Republic Affairs.

H. Gerald Smith will continue as Alternate to the United States Representative on the Inter-American Economic and Social Council.

Abolishment of the Shipping Division

I Effective July 1, 1948, the Shipping Division (SD) is abolished.

II The Office of Transport and Communications (TRC), through a small staff of advisers on international ocean shipping and inland transportation, will assume responsibility for advisory and coordinating functions of the Department with respect to ocean shipping and inland transport.

A Action responsibility in these fields is assigned to the geographic offices. However, pending specific redelegation of functions, through amendment of the Organization Manual, the Division of Communications and Records (DC) will continue to assign to TRC action responsibility for correspondence dealing with shipping and inland transport matters.

III The Seamen Affairs Branch of the Shipping Division, together with its personnel, functions, records, furniture, equipment, and funds, transferred to the Division of Protective Services (DS).

Abolishment of Division of Procurement Control

I Pursuant to Executive Order 9960 of May 19, 1948, the Division of Procurement Control (PC) of the Office of Budget and Planning (OBP) is abolished as of the close of business June 30, 1948; its functions, records, equipment and personnel are transferred from the Department of State to the Economic Cooperation Administration.

II Within thirty days appropriate Departmental Regulations will be issued to effect the necessary realignment of functions.

Appointment of Officers

Winthrop G. Brown as Director of the Office of International Trade Policy, effective June 13, 1948.

Edwin M. Martin as Deputy Director of the Office of International Trade Policy, effective June 13, 1948.

Samuel D. Boykin as Director of the Office of Control, effective June 28, 1948.

Philip D. Sprouse as Chief of the Division of Chinese Affairs, Office of Far Eastern Affairs, effective June 1, 1948.

George H. Butler as Deputy Director of the Policy Planning Staff, effective July 6, 1948.

Joseph C. Satterthwaite as Director of the Office of Near Eastern and African Affairs, effective July 16, 1948.

Raymond A. Hare as Deputy Director of the Office of Near Eastern and African Affairs, effective July 16, 1948.

Volume XIII of "Territorial Papers of the U.S." Released

[Released to the press July 2]

Advance copies of volume XIII of the series entitled *The Territorial Papers of the United States* published by the Department of State under the authority of an act of Congress, were received by the Department on July 25.

This volume, which marks the resumption of the project after war-imposed curtailment, contains the official papers found in the archives in Washington pertaining to the Territory of Louisiana for the years 1803-1806. In all, three volumes are in prospect for the Territory of Louisiana: Missouri, 1803-1821, which comprised the entire area of the Louisiana purchase with the exception of the present state of Louisiana. The significance of the present work and its companion volumes lies in the fact that it presents for the first time a comprehensive documentation of the beginning of American administration of a region out of which

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less than a dozen states of the Union were subsequently carved.

Beginning with the acquisition of Louisiana in 1803, the present volume embodies documents pertaining to the transfer of Upper Louisiana to the United States, and to the administration of the first governor, General James Wilkinson. For the first and only time the civil administration of a territory was united with the military; the failure of this policy became manifest before Wilkinson's removal as governor. In this connection there are presented many hitherto unpublished letters of General Wilkinson.

Problems of the transition from an old world colony to a United States territory are depicted by selected correspondence between departments of the Federal Government and the various territorial officials, as well as by letters passing between numerous subordinate officers within the territory. A wide range of materials, other than those pertaining to the purely political administration, are also included. Such documents include petitions to Congress for redress of grievances, reports of congressional committees, proclamations, letters of application for office, as well as those illustrating party and class divisions, and other relevant papers.

Dr. Clarence E. Carter, of the Division of Historical Policy Research in the Department of State, is the editor of the series of *Territorial Papers*. Volume XIII of the series will be sold by the Superintendent of Documents, Government Printing Office, Washington 25, D.C., for \$3.50 copy.

Department Inaugurates Treaty Information Service

[Released to the press July 25]

The Department of State inaugurated on July 25 a loose-leaf service entitled *United States Treaty Developments*, designed to meet the need for a single compilation containing up-to-date actual information on developments affecting international agreements entered into by the United States.

Information on over 400 international agreements is contained in the first release of loose-leaf sheets and includes, when appropriate, notes respecting date and place of signature, effective date, ratification, citations to the text, signatories, ratifications, adherences, accessions, reservations, amendments, extensions, terminations, authorizing and implementing legislation, Executive action, administrative interpretations, opinions of the Attorney General, court decisions, and other relevant action.

The 400 agreements included in this release have either been concluded since January 1, 1944, or there has been some development concerning them

since that date. The service will be kept current, new loose-leaf sheets being issued as new agreements are published, and earlier agreements will be included as rapidly as possible, any recent development regarding an earlier agreement being made the occasion for bringing up to date the record with respect to that instrument.

United States Treaty Developments is a combination and extension of such previous publications of the Department of State as *Treaties Submitted to the Senate*, *Treaty Developments 1944*, and *A List of Treaties and Other International Acts of the United States in Force on December 31, 1941*, and it will eventually replace them and serve as a comprehensive guide to official material respecting all treaties and other international agreements to which the United States has become a party in nearly two centuries of treaty-making.

United States Treaty Developments is compiled by Eunice Webber Shafferman and Helen Hedvig Brown under the direction of Bryton Barron, Assistant for Treaty Affairs, Office of the Legal Adviser. The first release of loose-leaf sheets may be purchased for \$4.00 from the Superintendent of Documents, Government Printing Office, Washington 25, D.C.

PUBLICATIONS

Department of State

For sale by the Superintendent of Documents, Government Printing Office, Washington 25, D.C. Address requests direct to the Superintendent of Documents, except in the case of free publications, which may be obtained from the Department of State.

Assistance to the People of Italy Under Public Law 389, 80th Congress. *Treaties and Other International Acts Series 1678. Pub. 3039. 17 pp. 10¢.*

Agreement Between the United States of America and Italy—Signed at Rome January 3, 1948; entered into force January 3, 1948.

Air Transport Services. *Treaties and Other International Acts Series 1679. Pub. 3040. 39 pp. 15¢.*

Agreement Between the United States of America and France signed at Paris March 27, 1946, entered into force March 27, 1946; and Provisional Arrangement effected by exchange of notes signed at Paris December 28 and 29, 1945.

Headquarters of the United Nations. *Treaties and Other International Acts Series 1676. Pub. 3042. 29 pp. 10¢.*

Agreement Between the United States of America and the United Nations—Signed at Lake Success, N.Y., June 26, 1947; and exchange of notes bringing agreement into force November 21, 1947.

Canol Project: Waiver by Canada of Certain Rights Relating to Crude Oil Facilities. *Treaties and Other International Acts Series 1696. Pub. 3067. 2 pp. 5¢.*

Agreement Between the United States of America and Canada—Effected by exchange of notes signed at Ottawa August 31, and September 6, 1945; entered into force September 6, 1945.

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The Department of State BULLETIN, a weekly publication compiled and edited in the Division of Publications, Office of Public Affairs, provides the public and interested agencies of the Government with information on developments in the field of foreign relations and on the work of the Department of State and the Foreign Service. The BULLETIN includes press releases on foreign policy issued by the White House and the Department, and statements and addresses made by the President and by the Secretary of State and other officers of the Department, as well as special articles on various phases of international affairs and the functions of the Department. Information is included concerning treaties and international agreements to which the United States is or may become a party and treaties of general international interest.

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PROGRESS REPORT ON HUMAN RIGHTS

by James Pomeroy Hendrick

The United Nations Commission on Human Rights has completed its second year of service,¹ devoted for the most part to planning for and working on the project of an international bill of human rights.²

An international bill of human rights could consist of a statement of general principles, such as the American Declaration of Independence or the French Declaration of the Rights and Duties of Man. On the other hand it could take the form of a document having legally binding force—an international equivalent of the United States Bill of Rights. The Commission on Human Rights decided at its second session in Geneva that both a statement of principles and a treaty were necessary; it defined the term "international bill of human rights" as including both a declaration (i.e., statement of principles), and a covenant (i.e., treaty) as well as measures of implementation.³ It produced a draft declaration and a draft covenant, and examined (but neither approved nor disapproved) the report of a working group on implementation.⁴

The substantive work of the Commission at its third session (May 24 to June 18, 1948) was the completion of a declaration, the question of implementation being considered briefly. The Commission's Drafting Committee, which met from May 10 to May 21, 1948, considered the covenant on human rights as well as doing preliminary work on the declaration. This article will deal with the progress made in the preparation of an international bill of human rights at these two sessions.

Definitive work on a covenant and measures of implementation must await the fourth session of the Commission to be held early in 1949.⁵

INTERNATIONAL DECLARATION OF HUMAN RIGHTS⁶

There has at no time been serious controversy among Commission members over the general content of the declaration. It has been agreed that the declaration should specify, first, fundamental *civil rights*, known to countries such as the United States for one hundred and fifty or more years; and, second, *social and economic rights*, which have been recognized as a development of the twentieth century.⁷ There had, however, until the third session of the Commission, been no very general agreement on two salient points concerning the declaration: length and effect.

"A Short and Concise" Declaration

The first draft of the declaration was an outline prepared by the United Nations Secretariat, consisting of 48 articles. Though the Geneva draft was reduced to 33 articles, it was recognized that even this was perhaps overlong.⁸ The United States and China in successive sessions pressed for a document which would be drastically shortened.⁹ The Commission's final draft contains 28 articles, and its content is substantially reduced.

The substantive rights now covered in the new declaration are as follows:

Civil Rights

Article 3: Right to life, liberty, and security of the person
Article 4: Freedom from slavery, torture, inhuman treatment or punishment

Article 5: Recognition as a person before the law

Article 6: Right to equality before the law¹⁰

Article 7: Freedom from arbitrary arrest

Article 8: Right to a fair hearing by an independent and impartial tribunal

NOTE: For footnotes, see p. 164.

- Article 9 (1): Presumption of innocence and right to public trial, with all guarantees necessary for defense, in criminal cases
- Article 9 (2): Freedom from *ex post facto* laws¹¹
- Article 10: Freedom from interference with privacy
- Article 11 (1): Freedom of movement and residence within a state
- Article 11 (2): Right to leave any country
- Article 12: Right of asylum
- Article 13: Rights concerning nationality¹²
- Article 14: Right to marriage and to protection of the family
- Article 15: Right to own property
- Article 16: Freedom of religion
- Article 17: Freedom of information
- Article 18: Freedom of assembly and association
- Article 19: Right to participate in government¹³

Social and Economic Rights

- Article 20: Right to social security¹⁴
- Article 21: Right to work
- Article 22: Right to health and security
- Article 23: Right to education
- Article 24: Right to rest and leisure
- Article 25: Right to participate in cultural life

The problem of the long declaration as opposed to the short declaration was first presented to the third session of the Commission, with respect to individual articles, in connection with freedom from arbitrary arrest (article 7). Once the decision was made that this article should read, quite simply, "No one shall be subjected to arbitrary arrest or detention", it became clear that an important precedent had been established.¹⁵ The Commission having adopted with respect to this article the principle of a "short and concise" declaration, there was thenceforth no serious departure from the principle in subsequent articles.¹⁶ A comparison between the Geneva draft and the draft produced by the third session shows the beneficial results thus obtained.¹⁷

Effect of the Declaration

At the risk of over-simplification, it can be said that three theories have been considered as to the effect of the declaration:

1. The declaration imposes an immediate obligation upon all member states to bring their laws into conformity with its provisions.
2. The declaration imposes no obligation of any sort.
3. The declaration represents a common standard of achievement for all peoples and all nations

and may thus be considered to impose a moral, but not a legal, obligation to strive progressively to secure universal and effective recognition and observance of the rights and freedoms therein set forth.

The first of these theories rests on the assumption that the United Nations Charter, particularly in articles 55 and 56, sets forth an obligation in treaty form to observe human rights and that the declaration, as an "extension" of the Charter, defines these rights.

The second theory rests upon a far more strict construction of the Charter and constant reliance upon its domestic jurisdiction clause.¹⁸

The third theory is based upon what is considered a fair interpretation of action appropriate to be taken under the Charter. It is in no way intended to derogate from the domestic jurisdiction clause of the Charter, although its proponents freely admit that a covenant, as distinguished from a declaration, is a necessary element in the program and that a covenant would bring up for scrutiny matters which have heretofore been considered domestic.

It is the third of these theories which has now been adopted by the Commission. It finds expression in the preamble to the declaration, reciting that "Member states have pledged themselves to achieve, in cooperation with the Organization, the promotion of universal respect for and observance of human rights and fundamental freedoms," and proclaiming the declaration as a "common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance." It finds expression also in the introduction to the articles dealing with social and economic rights: "Everyone as a member of society . . . is entitled to the realization, through national effort and international cooperation, and in accordance with the organization and resources of each State, of the economic, social and cultural rights set out below."¹⁹ Finally, the theory finds expression in article 26 which states that "Everyone is entitled to a good social and international order in which

rights and freedoms set out in this Declaration can be fully realized."

A necessary consequence of the adoption of this theory has been the abandonment of language contained in the Geneva draft purporting to place an immediate legislative obligation with respect to certain articles.²⁰ Such language is now reserved for use in the covenant. A further consequence has been the defeat of proposals that violations of the declaration should be punished by law.²¹

Declaration: Present Status

The Commission on Human Rights has accordingly approved a declaration which is short and precise; its effect is clearly stated, and its meaning is obvious. This accomplishment of major proportions is a tribute to the leadership of the Commission's Chairman, Mrs. Franklin D. Roosevelt. The declaration remains to be approved by the Economic and Social Council and thereafter by the General Assembly in order to attain its full stature in the field of human rights.

THE COVENANT OF HUMAN RIGHTS AND MEASURES OF IMPLEMENTATION

The Human Rights Drafting Committee started its second session with consideration of the covenant on human rights. At the time it appeared possible that both the Committee and the Commission would be able to develop definitive drafts of both covenant and declaration, and reach a conclusion as to what should be done with respect to implementation.²² However, despite extraordinary efforts and a seriousness of purpose which was not questioned, the problems proved to be too difficult, and too diffuse, for solution in the time allotted. The Commission did not consider the covenant at its third session. It preferred to do a thorough job on one document—the declaration—rather than a superficial job on two.²³

Covenant—Substantive Problems

As drafted by the Commission at its Geneva session, the covenant included most of the basic civil

rights set forth in the declaration. Notable exceptions were the right to marriage, the right to property, the right to participate in government, and freedom from searches and seizures. The Geneva covenant included none of the social and economic rights.²⁴ At the outset of the second session of the Drafting Committee, a proposal was made by the Australian member to include in the covenant virtually all the rights enumerated in the declaration. What the result would have been had this proposal been voted upon article by article is a matter of conjecture; in fact, the proposal was voted upon *en bloc*, and defeated. The result was that the substance of the covenant as passed upon by the Drafting Committee remained for the most part unchanged from the Geneva draft.²⁵

Covenant—Procedural Problems

At the second session a difference of opinion had developed with respect to the manner in which limitations on rights should be expressed in the covenant. On one hand it was thought that the covenant should state the rights and at the same time state in detail all limitations on the rights; on the other hand, that the covenant should contain one over-all statement of limitations, roughly analogous to that contained in the declaration.²⁶ The proponents of the first theory urged that there was no object in having a covenant which each adherent state could construe in accordance with its own wishes and that this was the inevitable result of an over-all clause so broad that anyone could "drive a team of horses through it". The proponents of the over-all clause urged that it was impossible to codify the exceptions to general rules already existing in the law except by employing very broad language and that it was equally impossible to foresee in detail what new exceptions it might be necessary to formulate.

An example in point was freedom of information. Certain limitations have been generally acknowledged by most countries as necessary with respect to this right, although practices have varied considerably. Yet the enumeration in the covenant of limitations on the right of freedom of information, started with six²⁷ and has been progressively increased to 25,²⁸ with proponents of the over-all clause stating that there are more to

come. These limitations failed to take into account new limitations which might be required in connection with television or other unforeseen techniques. Discussion of the problem was continued throughout the Conference on Freedom of Information and the second session of the Human Rights Drafting Committee. The report of the Drafting Committee leaves the problem unresolved.

Nevertheless there are grounds for hope that a solution can be found. The differences between the two opinions have been exaggerated. Both have in fact been in favor of a general clause. The proponents of detailed limitations would, however, limit its application to cases of "war or other public emergency"²⁹ and would require a report of its application in each case to the Secretary-General of the United Nations.³⁰ A substantial number of the articles in the covenant as approved by the Drafting Committee contain provisions which are in effect as broad, or almost as broad, as a general over-all limitation clause.³¹ Finally, the pressure for achieving agreement on this procedural question, which threatens the very existence of the covenant, should be so great as to force a solution.³²

A further point of particular interest to the United States is a provision that the covenant shall make allowance for the problems of federal states. In the case of the United States, for example, the covenant would bind the Federal Government, but not necessarily bind the 48 State governments. This provision, modeled after the pattern established by the International Labor Organization, was adopted in the Geneva draft of the covenant and was not changed in the third session of the Commission.

One other procedural question has been of particular importance to the United States Delegation. In the United States not all treaties are self-executing, since certain treaties require implementing legislation. In countries such as the United Kingdom, legislation is necessary in order to establish the ratified treaty as part of domestic law. The members of the Drafting Committee were sympathetic with the view that time should be given to bring legislation, to the extent necessary, in accord with provisions of the covenant.³³ The covenant accordingly contains wording tentatively designed to make it clear that so far as domestic enforcement is concerned it may require enabling legislation.³⁴

Implementation ³⁵

The three leading theories as to what should be done in the event of a violation of the covenant may be summarized.

According to the Australian theory, any violation of the covenant should be considered by a new six-member, international court of human rights whose decisions shall be complied with by covenanting states. Individual complaints as well as complaints by states should be dealt with.³⁶

Violations, according to the French theory, should be considered by a Commission empowered to make recommendations to parties concerned. Individual complaints as well as complaints by states should be dealt with.³⁷

According to the China-United States theory, violations not settled by direct negotiation should be referred to a committee empowered to make a recommendation to the state or states concerned. Complaints are to be limited, for the time being, to those made by states.³⁸

Although it would be impossible to draw any conclusions from the brief debate on the subject at the Commission's third session, it may be noted that the China-United States proposal was specifically supported by more members of the Commission³⁹ than any other proposal on implementation. Certain points in connection with the China-United States proposal may be of special interest. Of these the most widely discussed was the question of petitions.

Petitions

The covenant is directed primarily at insuring the rights of the individual.⁴⁰ The following argument may be made in favor of allowing individuals to bring their cases to the attention of the committee or court which is to consider violations of the covenant: A state cannot be relied upon to bring up cases arising within its own borders; and reliance on other states to take the initiative in such matters, in the absence of an inspection procedure (which would surely prove unacceptable in many countries), would mean that serious violations might never come to light. A precedent was established for consideration of individual petitions in connection with minorities problems by the League of Nations, and according to some evidence at least the procedure was successful.⁴¹ A fundamental basis of effective democratic government is recognition of the right of individual ap-

deal; among the significant contributions made by the United States to the philosophy of government has been the concept that sovereignty is lodged in the people, which thereby permits individual access to federal courts and does not limit cases to those brought by states which, like corporations, have no souls."⁴²

In contrast to this argument, if the covenant is to attain widespread adherence, it is essential that its provisions should not interfere unduly with the domestic jurisdiction of member states. The theory of the covenant in itself is revolutionary: an undertaking by international treaty to insure certain rights which have traditionally been regarded as being solely of national concern. A sufficient impetus has been created in the Commission for the completion of a covenant, on the basis of a sincere desire to avoid catastrophes such as those launched by Hitler in his persecution of the Jews, and to improve the standards of international human rights in a field which appears to many to be more important than the ever expanding field of science. But this impetus may be lost if the initial program is too ambitious. To allow an individual to appeal from a decision of his country's court of last resort is a serious step; yet this might be the consequence of recognizing the right of individual petition.⁴³

The International Court of Justice

The China-United States proposal recognizes that certain cases arising under the covenant may be considered by the International Court of Justice. Compulsory jurisdiction, however, is not expressly provided.⁴⁴

Committee To Consider Complaints

The China-United States proposal provides for the appointment of a Committee by Covenanting states . . .⁴⁵ which is in contradistinction to the French proposal, providing for an eleven-member special commission, to be appointed by a "two-thirds majority of the General Assembly of the United Nations with due consideration of equitable geographical distribution."⁴⁶ The theory of the China-United States proposal is that countries which do not agree to assume the burdens of the covenant should not, without the consent of ratifying states, be concerned with its implementation.

PROGRAM FOR THE FUTURE

The Commission on Human Rights did not express an opinion on whether the declaration should be approved at once, or whether its expression as a formal document of the General Assembly should be postponed until the time that a covenant could be submitted simultaneously for ratification. This is a problem which must be considered by the Economic and Social Council, and by the General Assembly.

Although unanimous approval of the declaration was secured (with abstentions on the part of the four eastern European members), it is clear that agreement on a legally binding covenant involves even greater problems than those posed, and now solved, in connection with the declaration. Even assuming, as it must be assumed, that the procedural aspects of the covenant will be taken care of to the satisfaction of a substantial majority, the question of which substantive rights are to be included in the covenant and also the question to what extent they are to be included are matters of almost infinite complexity; and the further question of implementation is perhaps even more difficult.

If it is decided to proceed along the line of attracting within a reasonable time as many ratifications of the covenant as possible, it will be necessary to limit the covenant to a small number of fundamental rights, such as freedom from slavery, and limit implementation to machinery of a rather sketchy nature. Such a covenant, starting in effect on the principle of the lowest common denominator, could of course be followed by other covenants covering other rights and further expansion of the implementation machinery.⁴⁷

An alternative procedure would be to aim at once for a comprehensive covenant, with full implementation. Such a document would presumably be ratified only by a relatively small number of states at the outset, and the all-important question would be whether this exclusive "club" could successfully attract new members.

Still another method of operation would be to invite "like-minded" member states to enter into covenants covering the rights in which they were particularly interested, with the possibility of several covenants entered into by different groups,

all having the same primary purpose: the progressive promotion throughout the world of respect for human rights.

Whatever procedure is adopted, one thing is clear. The Commission of Human Rights is not content to see a declaration of general principles approved and consider its task done. It is the view of the Commission, that "the completion of a

Covenant, containing measures of implementation is essential."⁴⁸

Those members of the United Nations who were chiefly responsible for the insertion of no less than seven references to human rights in the Charter and for the creation of the Commission on Human Rights, have assumed a heavy burden, which has not yet been discharged.

Footnotes

¹ First session of nuclear Commission, April 1946; first session of full Commission, January 1947; first session of Drafting Committee, June 1947; second session of full Commission, December 1947; second session of Drafting Committee, May 1948; third session of full Commission, June 1948.

² The work of the Commission through its second session is described by Mr. Hendrick in an "International Bill of Human Rights", *BULLETIN* of Feb. 15, 1948, p. 195.

³ U.N. doc. E/600, par. 18 (a).

⁴ U.N. doc. E/600. These documents were forwarded early in 1948 to all member nations for comment. The comments which have been received and studied both by the Commission and the Drafting Committee are contained in U.N. doc. E/CN.4/82 and addenda thereto.

⁵ U.N. doc. E/800, par. 17.

⁶ The title of the declaration has now been changed from "International Declaration on Human Rights" to "International Declaration of Human Rights." A motion to substitute the words "United Nations" for "International" was defeated by the Commission at its third session.

⁷ Hendrick, *op. cit.*, p. 199. The declaration includes the rights of an international character— asylum and nationality—and has included, but no longer includes, special provision for rights of minorities. For an early example of references to social as well as civil rights, see President McKinley's instructions to William H. Taft, president, Board of Commissioners to the Philippine Islands, Apr. 7, 1900. These instructions had been drafted by Elihu Root (Cameron, *The Philippine Islands*, vol. II, pp. 438, 500).

⁸ U.N. doc. E/600, par. 50.

⁹ U.S. proposal made at second session of Commission (U.N. doc. E/600, annex A, part II, par. 10); Chinese proposal made at third session of Commission (U.N. doc. E/CN.4/95, annex A). The Chinese proposal is the shorter of the two. In its comment to the Secretary-General of the United Nations, the United States stressed the point that the declaration should be "short and concise" (U.N. doc. E/CN.4/82, p. 8). The original proposal for a "decalog" was informally made by the U.S.S.R. Representative at the first session of the Human Rights Drafting Committee June 1947, but no draft was submitted by the U.S.S.R. at that time. The attitude of the U.S.S.R. throughout the third session of the Commission was consistently in favor of more detailed wording of the declaration along the general lines approved by the Commission's

second session, at Geneva, rather than the more concisely worded adopted by the Commission's third session, Lake Success (U.N. doc. E/800, appendix).

¹⁰ Provision is made that all are entitled "without any discrimination to equal protection of the law against any discrimination in violation of this Declaration and against any incitement to such discrimination." See also art. 1. The provision on incitement to discrimination was passed over the objection of a substantial number; a somewhat similar provision (which, however, was mandatory) was deleted from the Covenant by the Drafting Committee (see footnote 25).

¹¹ The question of war criminals was handled in a particularly skillful manner by the Commission. At the Geneva session a paragraph was added to the provision on freedom from *ex post facto* laws stating that "nothing in this Article shall prejudice the trial and punishment of any person for the commission of any act which, at the time it was committed, was criminal according to the general principles of law recognized by civilized nations." This paragraph was criticized on the ground that it indicated doubt as to the validity of the Nürnberg trials. On the other hand it was supported on the ground that it extended the principle of freedom from *ex post facto* laws to the international field. The solution reached by the Commission at its third session was to provide, very simply, that "No one shall be held guilty of any offence on account of any act or omission which did not constitute an offence, under national or international law, at the time when it was committed." (Art. 9 (2).)

¹² Rights of asylum and nationality are here classed, for convenience, under the category of civil rights. In the Geneva draft, provision was made for the right to nationality and protection by the U.N. of those not enjoying the protection of any government. At its third session the Commission eliminated provision for protection by the U.N. on the ground that this was not proper subject matter for a declaration but should, instead, be carried through by positive action, which had, indeed, already been started in the Economic and Social Council (resolution 116 VI D, Resolutions of the Economic and Social Council, sixth sess., U.N. doc. E/777).

¹³ Provision for periodic elections by secret ballot, which had been contained in the Geneva draft, was eliminated by the Commission at its third session. In the case of certain members (notably the United States) the omission was agreed to in the interests of achieving a short-

from declaration. Other members expressed difficulty with the concept as applied to primitive communities. The U.S.S.R. strongly favored a provision that "The State shall consider the will of the people as expressed in elections, which shall be conducted periodically and must be universal and equal and be held by secret ballot" (U.N. doc. E/800, appendix, amendment to art. 20). On the other hand the U.S.S.R. consistently proposed the elimination of "political opinion" from the category of unjustifiable grounds for discrimination (U.N. doc. E/800, appendix, statement of fundamental requirements, par. (a); statement of omissions and shortcomings in the declaration, par. (c); amendment to preamble; amendment to art. 2; amendment to art. 23).

¹⁴ The right to social security is included in the *chapeau* clause referred to in footnote 19. Whether or not the term "social security" should be included in art. 22 was debated at length. After the final decision was reached to omit the term, because it meant different things in different countries, the minority view that it should have been included was so strongly expressed that inclusion in the *chapeau* clause became inevitable.

¹⁵ The article on freedom from arbitrary arrest, as drafted at the Commission's second session, contained certain specific guarantees (U.N. doc. E/600, appendix A, art. 5). Later, at the Drafting Committee's second session, a motion was made to substitute for these guarantees the concept of freedom from "arbitrary" arrest, which could be by the use of one word encompass the guarantees set forth in the Geneva draft, and other necessary guarantees as well. A majority of the Committee members had in mind specific guarantees for inclusion in the article. Since the members were not in agreement as to the essential guarantees, the result was an omnibus provision which cited seven of them. The arrest must be (1) "according to pre-existing law" and (2) "in accordance with due process". The person arrested has the right (3) "to be promptly informed of the reasons for his detention", (4) "to immediate judicial determination of the legality" of the detention, and (5) to "trial within a reasonable time to release". (6) No one shall be imprisoned "merely on the grounds of inability to meet a contractual obligation". (7) "Everyone has the right to compensation in respect of any unlawful arrest" (U.N. doc. E/CN.4/95, alternative article for arts. 6, 7, and 8). In its entirety it seemed too long an article; and the Drafting Committee, which had approved the seven individual provisions as they came up successively for a vote, voted down the article as a whole. This action meant a reversion to the Geneva draft, which had also proved unsatisfactory.

When the article was considered by the full Commission at its third session, a motion was again made to limit the article to a statement that "no one shall be submitted to arbitrary arrest or detention." In view of the Drafting Committee's unhappy experience, a majority of the Commission determined that the abbreviated form was preferable to a detailed provision; the shorter statement thus proposed was accordingly approved.

¹⁶ The declaration as approved by the Commission's third

session is not consistently as brief as in the case of the article on arrest. Detail is avoided, however, by general adherence to the principle that a simple statement is sufficient, and by far greater reliance than in the past upon one article indicating permissible limitations on rights (art. 27, par. 2).

¹⁷ See p. 167.

¹⁸ Art. 2, par. 7, of the Charter, provides as follows: "Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII." (Chapter VII refers to "Action With Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression.")

¹⁹ Art. 20, referred to in the third session of the Commission as the *chapeau*, was the subject of considerable controversy. Certain members felt that there was no reason to say anything more about social and economic rights than was said about civil rights; to do so would indicate the former were more important than the latter, an impression which they definitely did not wish to convey. Others felt that this new type of right should be given special attention; people throughout the world were "used to" civil rights, but they did not know about social and economic rights. The compromise was to retain the *chapeau* clause but to include in it a phrase, loosely modeled after a provision of the International Trade Organization Charter, which would recognize the necessary differences among various states in the manner and extent of the granting of these rights, which would depend upon "the organization and resources of each state."

²⁰ As pointed out in Hendrick, *op. cit.*, footnote 2, the Geneva declaration was seriously out of balance in that it purported to obligate the state to take certain measures with respect to social and economic rights, whereas no such obligation was expressed with respect to civil rights. Thus, the Geneva draft provided that "The State shall take all necessary steps to prevent unemployment," but it contained no such affirmative language with respect, for example, to the obligation to maintain independent and impartial tribunals.

²¹ A proposal to this effect was made by the French Member, who at the outset favored a declaration containing a more legislative character than was adopted by the Commission at its third session (U.N. doc. E/CN.4/82/Add. 8, art. 28). It will be recalled that one penal provision dealing with discrimination had been proposed by the U.S.S.R. Member at the second session of the Commission, but was defeated (Hendrick, *op. cit.*, footnote 45). At the third session the U.S.S.R. Member continued to press the point, although not with specific reference to all articles, that "The Declaration should guarantee . . . implementation" of rights (U.N. doc. E/800, appendix, p. 38). The test vote in the third session was on the wording of art. 4 of the Declaration. Here the U.S.S.R. Member proposed that all violations of the right to freedom from slavery "must be punished accord-

ing to law" (U.N. doc. E/800, appendix, basic proposals advanced by the U.S.S.R., p. 40). This proposal was defeated and the precedent for a declaration which should not purport to be a legislative document was established.

²² The initiative for starting with consideration of the covenant was taken by the United States Member. At both the first and second sessions of the Commission, and at the first session of the Drafting Committee, the United States had urged that priority be given to consideration of the declaration, on the ground that it was preferable to state general principles first and then pass on to the embodiment of these principles into "a convention or conventions". This view was opposed, except at the first session of the Commission, by a majority of the other members who feared that a declaration without a covenant might be considered sufficient in itself; that the pressure for a covenant would be removed; that the result would be insufficient interest in a covenant to insure its adoption by a substantial number of states. In consequence, drafts of both a covenant and a declaration were produced at the first session of the Drafting Committee and the second session of the Commission. It was generally agreed that a repetition of the procedure adopted at the second session of the Commission, whereby two working groups, drafting independently one of the other, produced a declaration and a covenant, was undesirable. The answer was to have all members work together on each document; this being the case, it was logical for the Committee to start with the more difficult task, which was the covenant.

²³ Two insuperable obstacles to speed in drafting were the number of participants involved—8 in the Drafting Committee; 17, Iran being absent, on the Commission—and the different languages represented, 11 languages among 17 members.

²⁴ For a comparison between declaration and covenant, see Hendrick, *op. cit.* The United States Member of the Drafting Committee specifically suggested the inclusion in the covenant of reference to right to property (U.N. doc. E/CN.4/AC.1/19, art. 5).

²⁵ Among the changes made in the covenant, it may be noted that Geneva art. 20 on freedom from discrimination was rephrased in terms of "equal protection of the law"; the Geneva article stating that "any advocacy of national, racial or religious hostility that constitutes an incitement to violence shall be prohibited by the law of the state"; art. 21, was deleted.

²⁶ Declaration, art. 27 (3d sess.).

²⁷ Geneva text, embodying draft prepared by the Sub-commission on Freedom of Information and of the Press at its first session (U.N. doc. E/600, annex B, art. 17).

²⁸ U.N. doc. E/800, annex B, art. 17.

²⁹ Art. 4, Geneva draft, par. 1, reported in U.N. doc. E/800, annex B, and U.N. doc. E/600, annex B. This article may, in fact, be considered more liberal than the article suggested by the proponents of a single over-all clause. It reads: "In time of war or other public emergency, a State may take measures derogating from its obligations under Article 2 above to the extent strictly limited by the exigencies of the situation."

³⁰ U.N. doc. E/600, annex B, art. 4, par. 2. This provision

was not considered by the Drafting Committee at second session on the ground that it involved a question of implementation.

³¹ Art. 11(1) (liberty of movement and free choice of residence); art. 16 (freedom of religion); art. 17, the first of three alternatives (freedom of information); art. 18 (freedom of assembly); art. 19 (freedom of association). The articles which are thus left unencumbered by limitations of a general character are as follows: art. 5 (right to life: single limitation—conviction of crime); art. 6 (freedom from mutilation or experimentation: no limitation); art. 7 (freedom from torture, cruel or inhuman punishment or indignity: no limitation); art. 8(1) (freedom from slavery or servitude: no limitation); art. 8(2) (freedom from forced or compulsory labor: several limitations enumerated); art. 9 (freedom from arbitrary arrest or detention: several limitations enumerated); art. 10 (freedom from imprisonment for inability to fulfil a contractual obligation: no limitation); art. 11(2) (freedom to leave country: limitations—lawful deprivation of liberty or national service obligations); art. 12 (expelling of aliens only in accordance with law); art. 13(1) (fair hearing before independent and impartial tribunal: no limitation); art. 13(2) (public trial, legal assistance, and services of interpreter: several limitations enumerated with respect to public trial); art. 14 (freedom from *ex post facto* law or punishment, with special provision for war criminals: no limitation); art. 15 (juridical personality: no limitation); art. 17 (freedom of information—Geneva conference draft; several limitations).

³² The chief proponent of the detailed limitation theory has been the United Kingdom, which has no written constitution, and is accustomed to statutory law which is often more detailed even than that of the United States. The chief proponent of the over-all limitation clause has been the United States, whose constitutional provisions cover most of the rights in the covenant, in very brief form. The problem is squarely presented in connection with the United Kingdom's proposed convention on freedom of information, examined by the Conference on Freedom of Information at Geneva in March 1948 and now presented for consideration by the Economic and Social Council at its seventh session (Geneva, July–August 1948). In many respects the United Kingdom convention resembles the Human Rights Covenant, except that it deals solely with one right—freedom of information.

It may be noted that the representative of one of the Category B organizations argued in the third session of the Commission that certain of the rights set forth in the covenant, such as freedom from torture, should be expressed without any limitations whatsoever.

³³ In the case of slavery, for example, there would be considerable doubt as to whether any new legislation would be needed, for the right to freedom is already guaranteed in the United States Constitution. On the other hand, the provision on freedom of information as drafted by the Geneva Conference on Freedom of Information (U.N. doc. E/800, annex B, art. 17, alternative C) may require positive legislation.

Footnotes—Continued

³⁴ Art. 2 of the draft covenant contains an undertaking that the "rights and freedoms" therein set forth "where not now provided under existing laws and procedures shall be given effect in [each ratifying State's] domestic law through the adoption of appropriate laws and procedures." The members of the Drafting Committee were all struggling with the exact wording to be used for this article when it became necessary to pass on to consideration of other matters. A note appears under the title of the covenant stating that "The Drafting Committee agreed to point out in its Report its view that the covenant is not self-operative", U.N. doc. E/CN.4/95, Annex B. (The term "not self-executing" would have been technically more correct.)

³⁵ The subject of implementation was considered by the Commission on the last day of the third session. Although the discussion was brief, there was evidence of great interest and considerable study on the part of Commission members. The Drafting Committee at its second session postponed consideration of covenant art. 4(2) (report of the Secretary-General of the United Nations on measures taken derogating from rights, in case of war or public emergency), and art. 26, amendments to the covenant, in the hope that it would consider these articles in connection with its study of implementation. The Drafting Committee's covenant lacks also any mention of steps to be taken in case of violation of a covenant provision. The declaration, however, as approved by the Commission, is complete except for the article on right of petition, consideration of which was postponed until a more definitive discussion of implementation which never materialized.

³⁶ U.N. doc. E/CN.4/AC.1/27.

³⁷ U.N. doc. E/CN.4/82/Add.10.

³⁸ U.N. doc. E/CN.4/145.

³⁹ In addition to China and the United States. The Indian Member indicated general support for the China-United States proposal except that she expressed her view that petitions must be considered forthwith (U.N. docs. E/CN.4/151, 153). The U.S.S.R. Member, however, expressed opposition to all implementation proposals on the ground that they might "become a means of interfering with the internal affairs of a State party to the convention

and of undermining the sovereignty and independence of particular states" (U.N. doc. E/CN.4/154).

⁴⁰ Except in the case of the rights of assembly and association (arts. 18 and 19 of the draft covenant) and the alternate (Geneva) draft of the right of liberty of movement and free choice of residence (art. 11(1)) each of the substantive articles is phrased in terms of "no one" shall be denied or "everyone" has the right, etc.

⁴¹ See Azcarate, *The League of Nations and Minorities Treaties*.

⁴² A number of the Commission Members have been concerned over the large number of individual petitions complaining of violations of human rights which have been received by the United Nations. The Commission has declared that it has "no power to take any action in regard to any complaints regarding human rights" (U.N. doc. E/259). See also Economic and Social Council, resolution 75 (V), U.N. doc. E/573.

⁴³ Had a vote been taken at the Commission's third session on whether the covenant should at once make provision for action on individual petitions, the decision would probably have been in opposition to such provision. This conclusion is based on the assumption that the four eastern European members (Byelorussian S.S.R., Ukrainian S.S.R., U.S.S.R., and Yugoslavia) would have continued their expressed opposition to consideration of individual petitions and joined with the supporters of the China-United States proposal on implementation to form a total of 10 out of a possible 18 votes. Since there was not full discussion of the question the China-United States proposal leaves the door open for further consideration of individual petitions under the covenant.

⁴⁴ The proposal on this point is as follows: "States may in any event have such recourse to the International Court of Justice as is provided in the Charter of the United Nations and the Statute of the Court." (U.N. doc. E/CN.4/145, par. 2(c).)

⁴⁵ U.N. doc. E/CN.4/145.

⁴⁶ U.N. doc. E/CN.4/82/Add.10.

⁴⁷ To a certain extent this is the procedure which has been adopted by the International Labor Organization, with marked success.

⁴⁸ U.N. doc. E/800, par. 16.

APPENDIX: COMPARISON BETWEEN TEXTS OF "DECLARATION OF HUMAN RIGHTS" AS APPROVED AT SECOND AND THIRD SESSIONS, RESPECTIVELY, OF THE COMMISSION ON HUMAN RIGHTS

Second Session (Geneva Draft; U.N. doc. E/600, Part I, Annex A)

Third Session (U.N. doc. E/800, Annex A)

Preamble

WHEREAS recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world; and

WHEREAS disregard and contempt for human rights resulted, before and during the second world war, in barbarous acts which outraged the conscience of mankind and made it apparent that the fundamental freedoms were one of the supreme issues of the conflict; and

[No preamble drafted.]

**Second Session (Geneva Draft; U. N. doc.
E/600, Part 1, Annex A)**

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WHEREAS it is essential, if mankind is not to be compelled as a last resort to rebel against tyranny and oppression, that human rights should be protected by regime of law; and

WHEREAS the peoples of the United Nations have in the Charter determined to reaffirm faith in fundamental human rights and in the dignity and worth of the human person and to promote social progress and better standards of life in larger freedom; and

WHEREAS Member States have pledged themselves to achieve, in co-operation with the Organization, the promotion of universal respect for and observance of human rights and fundamental freedoms; and

WHEREAS a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Now therefore the General Assembly

Proclaims this Declaration of Human Rights as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

Scope of Declaration

Article 1

All men are born free and equal in dignity and rights. They are endowed by nature with reason and conscience, and should act towards one another like brothers.

Article 1

All human beings are born free and equal in dignity and rights. They are endowed by nature with reason and conscience, and should act towards one another in a spirit of brotherhood.

Article 3

1. Every one is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, (which includes colour), sex, language, religion, political or other opinion, property status, or national or social origin.

Article 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, property or other status, or national or social origin.

Civil Rights

Article 4

Every one has the right to life, to liberty and security of person.

Article 3

Everyone has the right to life, liberty and security of person.

Article 8

Slavery, in all its forms, being inconsistent with the dignity of man, shall be prohibited by law.

Article 4

1. No one shall be held in slavery or involuntary servitude.

Article 7

3. No one shall be subjected to torture, or to cruel or inhuman punishment or indignity.

2. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 12

Every one has the right everywhere in the world to recognition as a person before the law and to the enjoyment of fundamental civil rights.

Article 5

Everyone has the right to recognition everywhere as a person before the law.

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Article 3

2. All are equal before the law regardless of office or status and entitled to equal protection of the law against any arbitrary discrimination, or against any incitement to such discrimination, in violation of this Declaration.

Article 5

No one shall be deprived of his personal liberty or kept in custody except in cases prescribed by law and after due process. Every one placed under arrest or detention shall have the right to immediate judicial determination of the legality of any detention to which he may be subject and to trial within a reasonable time or to release.

Article 6

Every one shall have access to independent and impartial tribunals in the determination of any criminal charge against him, and of his rights and obligations. He shall be entitled to a fair hearing of his case and to have the aid of a qualified representative of his own choice, and he appears in person to have the procedure explained to him in a manner in which he can understand it and to use a language which he can speak.

Article 7

1. Any person is presumed to be innocent until proved guilty. No one shall be convicted or punished for crime or other offence except after fair public trial at which he has been given all guarantees necessary for his defence. No person shall be held guilty of any offence on account of any act or omission which did not constitute such an offence at the time when it was committed, nor shall he be liable to any greater punishment than that prescribed for such offence by the law in force at the time when the offence was committed.

2. Nothing in this Article shall prejudice the trial and punishment of any person for the commission of any act which, at the time it was committed, was criminal according to the general principles of law recognized by civilized nations.

Article 9

Every one shall be entitled to protection under law from unreasonable interference with his reputation, his privacy and his family. His home and correspondence shall be inviolable.

Article 10

1. Subject to any general law not contrary to the purposes and principles of the United Nations Charter and adopted for specific reasons of security or in general interest, there shall be liberty of movement and free choice of residence within the border of each State.

2. Individuals shall have the right to leave their own country and, if they so desire, to acquire the nationality of any country willing to grant it.

Article 11

Every one shall have the right to seek and be granted asylum from persecution. This right will not be accorded

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Article 6

All are equal before the law and are entitled without any discrimination to equal protection of the law against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 7

No one shall be subjected to arbitrary arrest or detention.

Article 8

In the determination of his rights and obligations and of any criminal charge against him, everyone is entitled in full equality to a fair hearing by an independent and impartial tribunal.

Article 9

1. Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

2. No one shall be held guilty of any offence on account of any act or omission which did not constitute an offence, under national or international law, at the time when it was committed.

Article 10

No one shall be subjected to unreasonable interference with his privacy, family, home, correspondence or reputation.

Article 11

1. Everyone has the right to freedom of movement and residence within the borders of each State.

2. Everyone has the right to leave any country, including his own.

Article 12

1. Everyone has the right to seek and be granted, in other countries, asylum from persecution.

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to criminals nor to those whose acts are contrary to the principles and aims of the United Nations.

Article 15

Every one has the right to a nationality.

All persons who do not enjoy the protection of any Government shall be placed under the protection of the United Nations. This protection shall not be accorded to criminals nor to those whose acts are contrary to the principles and aims of the United Nations.

Article 13

1. The family deriving from marriage is the natural and fundamental unit of society. Men and women shall have the same freedom to contract marriage in accordance with the law.

2. Marriage and the family shall be protected by the State and Society.

Article 14

1. Every one has the right to own property in conformity with the laws of the State in which such property is located.

2. No one shall be arbitrarily deprived of his property.

Article 16

1. Individual freedom of thought and conscience, to hold and change beliefs, is an absolute and sacred right.

2. Every person has the right, either alone or in community with other persons of like mind and in public or private, to manifest his beliefs in worship, observance, teaching and practice.

(Articles 17, 18)

(1. Every one is free to express and impart opinions, or to receive and seek information and the opinion of others from sources wherever situated.)

(2. No person may be interfered with on account of his opinions.)

(There shall be freedom of expression either by word, in writing, in the press, in books or by visual, auditive or other means. There shall be equal access to all channels of communications.)

Article 19

Every one has the right to freedom of peaceful assembly and to participate in local, national and international associations for purposes of a political, economic, religious, social, cultural, trade union or any other character, not inconsistent with this Declaration.

Articles 21, 22

Every one without discrimination has the right to take an effective part in the Government of his country. The State shall conform to the will of the people as manifested by elections which shall be periodic, free, fair and by secret ballot.

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2. Prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations do not constitute persecution.

Article 13

No one shall be arbitrarily deprived of his nationality or denied the right to change his nationality.

Article 14

1. Men and women of full age have the right to marry and to found a family and are entitled to equal rights as to marriage.

2. Marriage shall be entered into only with the full consent of both intending spouses.

3. The family is the natural and fundamental group unit of society and is entitled to protection.

Article 15

1. Everyone has the right to own property alone as well as in association with others.

2. No one shall be arbitrarily deprived of his property.

Article 16

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 17

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 18

Everyone has the right to freedom of assembly and association.

Article 19

1. Everyone has the right to take part in the government of his country, directly or through his freely chosen representatives.

2. Everyone has the right of access to public employment in his country.

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E/600, Part I, Annex A)**

1. Every one shall have equal opportunity to engage in public employment and to hold public office in the State of which he is a citizen or a national.
2. Access to public employment shall not be a matter of privilege or favour.

Social and Economic Rights

[No equivalent article; however, cf. article 26 below.]

Articles 23, 24

1. Every one has the right to work.
2. The State has a duty to take such measures as may be within its power to ensure that all persons ordinarily residing in its territory have an opportunity for useful work.
3. The State is bound to take all necessary steps to prevent unemployment.
1. Every one has the right to receive pay commensurate with his ability and skill, to work under just and favourable conditions and to join trade unions for the protection of his interests in securing a decent standard of living for himself and his family.
2. Women shall work with the same advantages as men and receive equal pay for equal work.

Articles 25, 26

Every one without distinction as to economic and social conditions has the right to the preservation of his health through the highest standard of food, clothing, housing and medical care which the resources of the State or community can provide. The responsibility of the State and community for the health and safety of its people can be fulfilled only by provision of adequate health and social measures.

1. Every one has the right to social security. The State has a duty to maintain or ensure the maintenance of comprehensive measures for the security of the individual against the consequence of unemployment, disability, old age and all other loss of livelihood for reasons beyond his control.
2. Motherhood shall be granted special care and assistance. Children are similarly entitled to special care and assistance.

Articles 27, 28

Every one has the right to education. Fundamental education shall be free and compulsory. There shall be equal access for higher education as can be provided by the State or community on the basis of merit and without distinction as to race, sex, language, religion, social standing, financial means, or political affiliation.

Education will be directed to the full physical, intellectual, moral and spiritual development of the human

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3. Everyone has the right to a government which conforms to the will of the people.

Article 20

Everyone, as a member of society, has the right to social security and is entitled to the realization, through national effort and international co-operation, and in accordance with the organization and resources of each State, of the economic, social and cultural rights set out below.

Article 21

1. Everyone has the right to work, to just and favourable conditions of work and pay and to protection against unemployment.
2. Everyone has the right to equal pay for equal work.
3. Everyone is free to form and to join trade unions for the protection of his interests.

Article 22

1. Everyone has the right to a standard of living, including food, clothing, housing and medical care, and to social services, adequate for the health and well-being of himself and his family and to security in the event of unemployment, sickness, disability, old age or other lack of livelihood in circumstances beyond his control.

2. Mother and child have the right to special care and assistance.

Article 23

1. Everyone has the right to education. Elementary and fundamental education shall be free and compulsory and there shall be equal access on the basis of merit to higher education.
2. Education shall be directed to the full development of the human personality, to strengthening respect for human

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personality, to the strengthening of respect for human rights and fundamental freedoms and to the combating of the spirit of intolerance and hatred against other nations or racial or religious groups everywhere.

Article 29

1. Every one has the right to rest and leisure.
2. Rest and leisure should be ensured to every one by laws or contracts providing in particular for reasonable limitations on working hours and for periodic vacations with pay.

Article 30

Every one has the right to participate in the cultural life of the community, to enjoy the arts and to share in the benefits that result from scientific discoveries.

General Provisions

Article 32

All laws in any State shall be in conformity with the purposes and principles of the United Nations as embodied in the Charter, insofar as they deal with human rights.

Article 2

In the exercise of his rights every one is limited by the rights of others and by the just requirements of the democratic State. The individual owes duties to society through which he is enabled to develop his spirit, mind and body in wider freedom.

Article 33

Nothing in this Declaration shall be considered to recognize the right of any State or person to engage in any activity aimed to the destruction of any of the rights and freedoms prescribed herein.

Right of Petition; Right of Minorities

Article 20

Every one has the right, either individually, or in association with others, to petition or to communicate with the public authorities of the State of which he is a national or in which he resides, or with the United Nations.

Article 31

[The Commission did not take a decision on the two texts below. They are reproduced here for further consideration.]

TEXT PROPOSED BY THE DRAFTING COMMITTEE (first session) :

(In States inhabited by a substantial number of persons of a race, language or religion other than those of the majority of the population, persons belonging to such

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rights and fundamental freedoms and to combating the spirit of intolerance and hatred against other nations and against racial and religious groups everywhere.

Article 24

Everyone has the right to rest and leisure.

Article 25

Everyone has the right to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement.

Article 26

Everyone is entitled to a good social and international order in which the rights and freedoms set out in this Declaration can be fully realized.

Article 27

1. Everyone has duties to the community which enable him freely to develop his personality.
2. In the exercise of his rights, everyone shall be subject only to such limitations as are necessary to secure due recognition and respect for the rights of others and the requirements of morality, public order and general welfare in a democratic society.

Article 28

Nothing in this Declaration shall imply the recognition of the right of any State or person to engage in any activity aimed at the destruction of any of the rights and freedoms prescribed herein.

[No decision reached by Commission at its third session regarding an article on petitions.]

[The Commission at its third session decided against inclusion of an article on minorities.]

(Continued on page 186)

THE UNITED NATIONS AND SPECIALIZED AGENCIES

Provisional Agenda for the Third Regular Session of the General Assembly¹

To Convene at the Palais de Chaillot, Paris, on September 21, 1948

1. Opening of the session by the Chairman of the Delegation of Argentina
2. Appointment of the Credentials Committee
3. Election of the President
4. Constitution of the Main Committees and Election of officers
5. Election of Vice-Presidents
6. Notification by the Secretary-General under Article 12, paragraph 2, of the Charter
7. Adoption of the agenda
8. Opening of the general debate
9. Report of the Secretary-General on the work of the Organization
10. Report of the Security Council
11. Report of the Economic and Social Council
12. Report of the Trusteeship Council
13. Headquarters of the United Nations: report of the Secretary-General (Resolution 182(II) of 14 November 1947)
14. Admission of new Members
 - a) Report of the Security Council (Resolution 112(II) of 17 November 1947)
 - b) Advisory opinion of the International Court of Justice (Resolution 113(II), B of 17 November 1947)
 - c) Admission to the Organization of Italy and those States whose applications for membership have obtained seven votes in the Security Council: item proposed by Argentina
15. Threats to the political independence and territorial integrity of Greece: report of the United Nations Special Committee on the Balkans (Resolution 109(II) of 21 October 1947)
16. The problem of the independence of Korea:
 - a) Report of the United Nations Temporary Commission on Korea (Resolution 112(II) of 14 November 1947)
 - b) Report of the Interim Committee of the

General Assembly (Resolution 112(II) of 14 November 1947)

17. The problem of voting in the Security Council:

(a) Report of the Interim Committee of the General Assembly (Resolution 117(II) of 21 November 1947)

(b) Convocation of a General Conference under Article 109 of the Charter in order to study the question of the veto in the Security Council: item proposed by Argentina

18. Advisability of establishing a permanent committee of the General Assembly: report of the Interim Committee of the General Assembly (Resolution 111(II) of 13 November 1947)

19. Study of methods for the promotion of international co-operation in the political field: report of the Interim Committee of the General Assembly (Resolution 111(II) of 13 November 1947)

20. Reports of the Atomic Energy Commission: resolution of the Security Council

21. Election of three non-permanent members of the Security Council

22. Report of the Government of the Union of South Africa on the administration of South West Africa: report of the Trusteeship Council (Resolution 141(II) of 1 November 1947)

23. Information from Non-Self-Governing Territories:

(a) Summary and analysis of information transmitted under Article 73e of the Charter: report of the Secretary-General (Resolution 66(I) of 14 December 1946)

(b) Information transmitted under Article 73e of the Charter: report of the Special Committee (Resolution 146(II) of 3 November 1947)

¹ U.N. doc. A/585, July 23, 1948.

24. Agreements with specialized agencies:

(a) Application of Finland for membership in the International Civil Aviation Organization: item proposed by the Secretary-General

(b) Approval of supplementary agreements with specialized agencies concerning the use of United Nations *laissez-passer*: report of the Secretary-General

25. Relations with and co-ordination of specialized agencies and work programmes of the United Nations and specialized agencies: report of the Secretary-General (Resolution 125(II) of 20 November 1947)

26. Freedom of Information: report of the Economic and Social Council (Resolution 59(I) of 14 December 1946)

27. Election of six members of the Economic and Social Council

28. Election of five members of the International Court of Justice (article 13, paragraph 1 of the Statute of the Court)

29. Progressive development of international law: election of the members of the International Law Commission (Resolution 174(II) of 21 November 1947)

30. Registration and publication of treaties and international agreements: report of the Secretary-General

31. Privileges and immunities of the United Nations: reports of the Secretary-General

(a) Headquarters Agreement

(b) General Convention on the Privileges and Immunities of the United Nations

32. Genocide: draft Convention and report of the Economic and Social Council (Resolution 180(II) of 21 November 1947)

33. Draft rules for the convening of international conferences: report of the Secretary-General (Resolution 173(II) of 17 November 1947)

34. Installation of the Assistant Secretary-General in charge of the Executive Office of the Secretary-General and general co-ordination

35. Financial administration of the United Nations:

(a) Financial report and accounts for the financial period ended 31 December 1947, and report of the Board of Auditors

(b) Supplementary estimates for the financial year 1948: report of the Secretary-General

(c) Budget estimates for the financial year 1949

(d) Unforeseen and extraordinary expenses: report of the Secretary-General (Resolution 166(II), B of 20 November 1947)

(e) Reports of the Advisory Committee on Administrative and Budgetary Questions

(f) Report of the Committee on Contributions

(g) International Children's Emergency Fund:

Annual audit of the accounts of the Fund: report of the Secretary-General

36. Appointments to fill vacancies in the membership of subsidiary bodies of the General Assembly:

(a) Advisory Committee on Administrative and Budgetary Questions

(b) Committee on Contributions

(c) Board of Auditors

(d) Investments Committee

37. United Nations Joint Staff Pension Scheme:

(a) Report of the United Nations Staff Benefit Committee submitting draft Regulations for a permanent Pension Scheme (Resolution 162(II) of 20 November 1947)

(b) Annual report of the Staff Benefit Committee on the operation of the Pension Fund (Resolution 82(I) of 15 December 1946 and Section 35 of the United Nations Joint Staff Pension Scheme Provisional Regulations)

38. Tax equalization: proposed staff assessment plan: report of the Secretary-General (Resolution 160(II) of 20 November 1947)

39. United Nations telecommunications system: report of the Secretary-General (Resolution 158(II) of 20 November 1947)

40. Organization of a United Nations postal service: report of the Secretary-General (Resolution 159(II) of 20 November 1947)

41. Transfer of the assets of the League of Nations: report of the Secretary-General (Resolution 24(I) of 12 February 1946)

42. Composition of the Secretariat and the principle of geographical distribution: report of the Secretary-General (Resolution 153(II) of 20 November 1947)

43. Proposal for the adoption of Spanish as one of the working languages of the General Assembly: report of the Secretary-General (Resolution 154(II) of 15 November 1947)

44. Violation by the Union of Soviet Socialist Republics of fundamental human rights, traditional diplomatic practices and other principles of the Charter: items proposed by Chile

45. Treatment of Indians in the Union of South Africa: item proposed by India

46. Equitable geographical distribution of seats for the six non-permanent members in the Security Council: item proposed by India

47. Amendment of rule 149 of the rules of procedure of the General Assembly to provide for the recognition of the principle of a percentage ceiling in the scale of assessments to meet expenses of the United Nations: item proposed by the United States of America

48. Increase to twenty-four of the number of Member States represented in the Economic and Social Council: item proposed by Argentina

Truce Supervision in Palestine

CABLEGRAMS FROM THE UNITED NATIONS MEDIATOR DATED JULY 22 AND 27, 1948, TO THE SECRETARY-GENERAL¹

Instructions to United Nations Observers Engaged in the Supervision of the Truce in Palestine

The Role of the Observer

(i) Primary function of observer is to supervise observance of terms of truce in area to which is assigned. To discharge this function properly observer must be completely objective in his attitudes and judgments and must maintain a thorough neutrality as regards political issues in Palestine situation. Fundamental objective of terms of truce is to ensure to fullest extent possible that no military advantage will accrue to either side as result of application of truce. Observer is entitled to demand that acts contrary to terms of truce be not committed or be rectified. Observer has no power to enforce such demands and must rely largely upon his ability to settle disputes locally by direct approaches to local commanders and authorities and where possible by bringing the commanders and authorities together. It is the responsibility of the observer to call promptly to the attention of appropriate local commanders and authorities every act which in his opinion is contrary to letter and spirit of truce.

(ii) Observers acting on behalf and under authority of United Nations Mediator are official representatives of United Nations. They are under command of Mediator who is represented by General Officer acting as his Chief of Staff in connection with truce supervision. This Chief of Staff is assisted by American, Belgian and French senior officers of senior rank who will be assigned as Chief of Staff at truce supervision headquarters.

(iii) Truce applies to seven Arab States (Egypt, Iraq, Lebanon, Saudi Arabia, Syria, Transjordan and Yemen) and to all of Palestine.

Operational Instructions

(i) Each observer must become thoroughly familiar with (a) provisions of resolutions of Security Council of 29 May and 15 July 1948, (b) terms of truce, and (c) list of items banned from import as coming under heading "war mate-

rials." (Copies of these documents are contained in the folder provided each observer.)

(ii) Each observer will report daily as instructed and on forms prescribed. Reports should cover each incident in particular locality relating to application of truce and should include other information pertinent to function of Mediator.

(iii) Any failure to comply with conditions of truce on part of either party shall immediately be reported by observer. Report to extent possible shall fully explain each such failure and shall clearly fix responsibility therefor. Questions relating to disputed interpretations of terms of truce or their application shall be referred through chain of command to Chief of Staff.

(iv) Observer shall investigate and report on as instructed all complaints of alleged violations of truce occurring within area to which he is assigned.

(v) In dealing with local incidents observer shall make clear to parties concerned that full responsibility will be borne by them and by their Governments for failure to comply with ruling of observer in connection with actions and incidents relating to application of truce. Observer should exercise reasonable discretion in each instance in order to minimize unpleasant incidents and local friction.

(vi) Observer is entitled to inspect all military positions and installations and other premises which might reasonably be connected with application of truce as well as ships, aircraft and convoys. Purpose of such inspection shall be to ascertain that no activity is carried on in any such place which will result in any military advantage accruing to either side during truce.

(vii) Observers shall be entitled to request and receive from both parties armed protection for himself, his staff and material and safe conduct whenever necessary in discharge of his duties.

(viii) Observers assigned to coastal areas where landing of immigrants and war material can be expected shall maintain effective observation in-

¹ U.N. doc. S/928, July 28, 1948, as corrected.

volving reconnaissance by air, land and sea and securing fullest possible information about any violations suspected or alleged of truce conditions. All fighting personnel which shall include persons identified as belonging to organized military units and all persons bearing arms shall be denied entry.

(ix) Men of military age (i. e., in the age group 18 to 45) among immigrants shall be permitted entry during truce only in such limited numbers as the Mediator in the exercise of his discretion may determine with a view to ensuring that no military advantage will accrue to either side. No men of military age shall be disembarked until they have been registered by local authorities in presence of United Nations Observers, given identity cards and their destinations, intended places of abode and occupations are clearly indicated and recorded. Men of military age thus gaining entry are not to be mobilized in armed forces and cannot participate in any military or paramilitary training activities. Such men are not [*sic*] to be assigned to particular area or areas which shall be approved by observers who shall periodically check on whereabouts and activities of such men.

3. Administrative Instructions

(i) All observers will be provided with per diem advances at rate of \$15 per day. Those funds are intended for defrayment of costs of meals, lodging, laundry and incidental expenses. Observers will not be paid second time for expenditures in these categories. However personnel forced by official duties to maintain accommodations in different locations simultaneously may claim for reimbursement for excess costs involved provided reasonable judgment is exercised in releasing accommodations and person in charge of administration at observer's duty station is notified immediately. In no circumstances are dual accommodations to be held for more than two days.

(ii) Each observer will be provided with a pay card which will contain record of all per diem payments made to him. Pay-masters have been instructed that per diem payments are to be made to observers personnel only upon presentation of pay card.

(iii) Expenditures for purposes of official business not falling in categories outlined in paragraph (i) above (such as use of taxicabs when no other transportation is available or purchase of supplies when previously authorized by administrative officer) may be reimbursed upon submission of authenticated claim by observer together with receipts covering expenditure. Claims for expenditures for personal expenses paid on behalf of some one other than the payer will [not?] be honoured by United Nations.

(iv) Observers are not authorized to employ local personnel nor to purchase equipment for account of United Nations without prior authorization of chief administrative officer except in clearly

demonstrated emergencies. When emergencies require such action without prior approval, the chief administrative officer must be notified at once.

(v) Any observer who is custodian of United Nations property is personally liable therefor and must return or account for property assigned to him prior to his departure to his regular duty station.

RHODES, 20 July 1948.

COUNT FOLKE BERNADOTTE
United Nations Mediator on Palestine

II. Additional Instructions for the Supervision of the Truce in Palestine

1. Headquarters is established in Haifa.

2. One group of observers will be assigned to each Arab army and to each Jewish army group. Besides there will be one group of observers on the coast and ports and one for control of convoys between Tel Aviv and Jerusalem.

3. The commanding officer of each group will:

(a) secure detailed information about the army or army group to which he is assigned;

(b) assign observers to various units and to important crossroads, bridges, airfields, etc.;

(c) supplement the general instructions to observers with special instructions according to local requirements;

(d) ensure that observers are permanently stationed with military units or on sections of the front (generally two observers together);

(e) take decisions on questions referred to him by his observers and on any other questions within his competence which may arise;

(f) refer to headquarters in Haifa any question which he is unable to solve himself;

(g) submit requests to headquarters in Haifa in respect of his requirements of observers, communications, transportation, etc.;

(h) until such time as his requirements have been fully met, maintain contact with headquarters in Haifa and with his observers by any means at his disposal (it may be necessary to make use of private vehicles, civilian telephone, telegraphic or radio communications to ensure the efficiency of the supervision in his area by means of personal visits to unit sections of the front check posts, etc.);

(i) submit at the earliest possible date to headquarters in Haifa a map showing the exact front line as it was at the commencement of the cease-fire, or, if this should prove impossible, at the time the observers first reached the spot;

(j) act according to his best judgment in any situation which arises.

4. The above rules should also be observed in the supervision of ports, convoys and the coast insofar as they are applicable.

5. Observers may be transferred as necessary from one group to another on orders from headquarters.

arters in Haifa. Commanding officers may also be replaced by officers of higher rank or greater seniority assigned to the same group.

Organization of the System of Observation of the Truce

Introductory

(i) Paragraph 8 of the resolution on the Palestine question adopted at the 338th meeting of the Security Council, on 15 July 1948, instructed the Mediator to supervise the observation of the truce; to establish procedures for examining alleged breaches of the truce since 11 June 1948. In connection with the latter, the Mediator was authorized to deal with the breaches so far as it is within his capacity to do so by appropriate local action. Finally the Mediator was requested:

a) to keep the Security Council currently informed concerning the operation of the truce, and
b) when necessary, to take appropriate action.

(ii) The fact that the truce ordered under paragraph 9 of the resolution is to remain in force until a peaceful adjustment of the future situation of Palestine is reached" calls for a methodical organization of its operation. To that effect appropriate machinery for investigating and reporting violations of the truce should be set up. Below is a brief outline of a scheme covering both the supervision of the observation of that truce and the establishment of procedures for examining alleged breaches of the truce.

Supervision

i) Chief of Military Staff, Central Truce Supervision Board.

The system of observation will be administered on behalf of the Mediator by the Mediator's Chief of Military Staff assisted by an Advisory Board to be known as the "Central Truce Supervision Board". Particularly it will be the duty of the Chief of Military Staff to:

a) organize a detailed plan for land, sea and air observation with the greatest possible dispatch;
b) assign the observers to their posts and direct their activities;
c) on the basis of field observations to define a map the positions of the respective armed forces in the several fighting sectors at the beginning of the truce. Alterations of such positions could be only in connection with local agreements negotiated concerning no-man's land. Questions of principle relating to the interpretation of the terms of the truce shall be referred to the Mediator for decision.

(ii) Composition and Functions of the Central Truce Supervision Board.

The Central Truce Supervision Board shall function under the chairmanship of the Chief of

Military Staff and shall consist of one American, one Belgian and one French Senior Officer to be designated by the Mediator and the political advisor to the Chief of Military Staff. The Chief of Military Staff may designate a member of the Board to act as vice-chairman. The Central Truce Supervision Board shall advise the Chief of Military Staff on all questions relating to the administration of the truce.

(iii) Regional Truce Supervision Boards.

To the extent feasible the area affected by the truce will be divided into zones in each of which there will be a "Regional Truce Supervision Board", the members of which will be designated by the Central Truce Supervision Board. Each regional board will be responsible to the Central Truce Supervision Board for the system of observation to be established in that region.

3. Establishment of procedures for examining alleged breaches of the truce

(i) Requests by Governments for investigation of alleged breaches of the truce which have not been settled by observers on the spot shall be submitted to the Central Truce Supervision Board, which shall refer them for investigation and report to the appropriate Regional Truce Supervision Board, or to an observer or a special investigation team designated for this specific purpose.

(ii) As circumstances permit, each of the parties may appoint military experts to act as liaison officers with observers in the field, with Regional Truce Supervision Boards, or with the special investigation teams.

(iii) Investigations of alleged breaches shall be undertaken on the spot, shall include the hearing of witnesses and the collection of all available evidence and in general all practicable steps shall be taken toward the clarification and settlement of the incident. The special investigation teams and the Regional Truce Supervision Boards should normally indicate the measures which ought to be taken to preserve the respective rights of either party. The findings of such bodies shall be submitted to the Central Truce Supervision Board.

4. Breaches of the Truce

It must be clearly understood by all personnel dealing with the supervision of the truce that the truce has been ordered by the United Nations Security Council for an indefinite duration and that breaches of the truce by one side do not release the other side from the obligation to comply with the Security Council order to refrain from military action. Breaches of the truce which cannot be rectified by the Truce Supervision organization will be promptly reported by the Mediator to the Security Council for appropriate action.

RHODES, 23 July 1948.

COUNT FOLKE BERNADOTTE

Current United Nations Documents: A Selected Bibliography ¹

Security Council

Documents referring to the Palestine Situation

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- Cablegram Dated 18 June 1948 from the United Nations Mediator to the Secretary-General Transmitting Two Agreements Concerning Abandoned British Military Installations. S/846, June 21, 1948. 4 pp. mimeo.
- Replies from States Members of the United Nations and From Some Non-Member States Pursuant to the Decision Taken by the Security Council [cooperation with Mediator in Palestine] at the Three Hundred and Twentieth Meeting. S/855, June 23, 1948. 7 pp. mimeo. [Several Addenda.]
- Cablegram Dated 25 June 1948 from the United Nations Mediator to the Secretary-General Concerning the Incident at Negba in the Negeb. S/856, June 25, 1948. 1 p. mimeo.
- Cablegram Dated 30 June 1948 From the United Nations Mediator Addressed to the Secretary-General Concerning the LST "Altalena" Incident. S/861, July 1, 1948. 4 pp. mimeo.
- Letter Dated 2 July 1948 from the Representative of the Provisional Government of Israel, Addressed to the Secretary-General. S/864, July 6, 1948. 3 pp. mimeo.
- Letter from the Permanent Representative of the United Kingdom Dated 8 July 1948 Addressed to the Secretary General Concerning the Detention of Five British Subjects by the Irgun Zvai Leumi. S/874, July 8, 1948. 1 p. mimeo.
- Letter from the Vice Chairman, Arab Higher Committee, and President of the Palestine Arab Delegation to the United Nations Dated 8 July 1948 Addressed to the President of the Security Council. S/880, July 9, 1948. 2 pp. mimeo.
- Replies from Lebanon, Transjordan and Iraq Dated 9 July 1948 Addressed to the Secretary-General Pursuant to the Security Council Resolution Adopted at Its 331st Meeting, 7 July 1948 (Document S/867), S/881, July 9, 1948. 1 p. mimeo.
- Cablegram Dated 9 July 1948 from the Minister for Foreign Affairs of the Provisional Government of Israel in Reply to the Cablegram From the President of the Security Council Dated 8 July 1948. S/882, July 10, 1948. 2 pp. mimeo.
- Cablegram Addressed to the President of the Security Council From the President of the Egyptian Council of Ministers, Dated 10 July 1948. S/883, July 10, 1948. 3 pp. mimeo.
- Telegram Dated 10 July from the Permanent Representative of Egypt to the United Nations, Addressed to the Secretary-General. S/885, July 10, 1948. 2 pp. mimeo.
- Letter Dated 10 July 1948 from the Representative of the Provisional Government of Israel, Addressed to the Secretary-General. S/886, July 12, 1948. 2 pp. mimeo.
- Report of the United Nations Mediator on Palestine to Security Council. S/888, July 12, 1948. 17 pp. mimeo. [Excerpts printed in BULLETIN of July 25, 1948.]
- Letter Dated 13 July 1948 From the Vice-Chairman of Arab Higher Committee for Palestine and President of the Palestine Arab Delegation to the United Nations Addressed to the Secretary-General Transmitting Memorandum of Violations of Security Council Resolutions and the Truce Agreement by the Jewish Forces. S/892, July 13, 1948. 11 pp. mimeo.
- Cablegram Dated 17 July 1948 from the Secretary General of the League of Arab States to the Secretary-General in Reply to the Resolution (Document S/902) Adopted by the Security Council at the Three Hundred and Thirty-Eighth Meeting on 15 July 1948. S/906, July 17, 1948. 2 pp. mimeo.
- Cablegram Dated 21 July 1948 From the United Nations Mediator to the Secretary-General Concerning Complaints Against Alleged Violations of the Truce by Jewish Forces. S/910, July 21, 1948. 1 p. mimeo.
- Letter Dated 12 July 1948 From the Foreign Minister of the Provisional Government of Israel Addressed to the United Nations Mediator Concerning Violations by Arabs of the Security Council Resolution of 29 May 1948 and the Truce Agreement of 9 June 1948. S/911, July 21, 1948. 13 pp. mimeo.
- Telegrams Dated 21 July 1948 Addressed to the Secretary-General by the Syrian Foreign Minister, on Truce Violations by Jewish Forces. S/912, July 21, 1948. 2 pp. mimeo.
- Cablegram Dated 21 July from the United Nations Mediator to the Secretary-General Concerning Complaints of Alleged Violations of the Truce by Arab Forces. S/913, July 22, 1948. 1 p. mimeo.

General Assembly

- United Nations Temporary Commission on Korea
Ninth Information Report on the Work of the Commission. (Period 2-15 May 1948) A/563. 75 pp. mimeo.
- Tenth Information Report on the Work of the Commission. (Period 16 May-5 June 1948) A/564. 6 pp. mimeo.
- Information From Non-Self-Governing Territories. Summary of Information Transmitted by the Government of the United Kingdom. A/566, July 14, 1948. 1 pp. mimeo.
- The Problem of Voting in the Security Council. Report of the Interim Committee to the General Assembly. A/578, July 15, 1948. 42 pp. mimeo.

Economic and Social Council

Official Records

Third Year

- Seventh Session, Supplement No. 4, Report of the Commission on Employment and Economic Stability to the Economic and Employment Commission. 44 pp. printed. 45¢.

Atomic Energy Commission

Official Records

Third Year

- No. 2, Sixteenth meeting, 17 May 1948. 16 pp. printed. 20¢.
- An International Bibliography on Atomic Energy. Political, Economic, and Social Aspects. Volume I (Preliminary Edition). 89 pp. mimeo.

¹ Printed materials may be secured in the United States from the International Documents Service, Columbia University Press, 2960 Broadway, New York City. Other materials (mimeographed or processed documents) may be consulted at certain designated libraries in the United States.

The United States in The United Nations

Congress Approves U.N. Loan

House approval on August 5 of legislation authorizing a \$65,000,000 U.S. loan to the United Nations for construction of a headquarters building in New York completed congressional action on the measure. The bill provides for an advance of \$25,000,000 by the Reconstruction Finance Corporation so that work on the building need not await a separate appropriation by Congress.

"In a matter of weeks the shovels and the hammers and the trowels will be at work building a permanent home for the United Nations," said Philip C. Jessup, Acting U.S. Representative. "That fact is a matter of intense pleasure to me and to the United States Mission. During the absence of Senator Austin, I can speak also for him since it was he who conducted the negotiations for the loan and throughout took the most intense and active interest in it."

"The approval of the loan provides a tangible, visible symbol of our unwavering support of the United Nations and of the great confidence we place in the organization which is working to keep the world at peace. The loan represents the soundest possible investment in the future."

Yugoslav Charges Discussed

Yugoslavia on August 4 took to the Security Council its formal charges that the British-American military administration in Trieste had violated the Italian peace treaty. The representatives of both the United Kingdom and the United States categorically denied the allegations.

The Yugoslavs asserted, among other charges, that in matters of foreign trade and finance the British-American zone had been turned, in effect, into an Italian province.

Mr. Jessup's reply said, in part:

"We are surprised that any government should present to the Security Council charges so utterly devoid of substance and also that the charges are made by a government which, in the administration of its own zone, has paid no heed to its international obligations and which has kept its administration shrouded in secrecy."

"... General Airey has administered the zone according to the letter and spirit of the pertinent provisions of the treaty of peace and in compliance with international law."

Trusteeship Session Ends

The results of the Soviet Union's first participation in the work of the Trusteeship Council comprise one of the most interesting and significant

developments emerging from the third session of the Council, which adjourned August 5.

Membership of the Council is equally divided—six and six—between countries which administer trusteeship areas and non-administering countries. Heretofore, however, the "give and take" between the two groups has been sufficient to limit to a few instances the cases in which a proposal failed of adoption because of a tie vote.

During the third session, this situation ceased to exist. Issues raised and pressed by the Soviet Delegate, S. K. Tsarapkin, resulted in repeated clashes. In numerous instances a split vote, divided strictly between administering and non-administering powers, resulted in failure of a pending motion.

Although she is a permanent member of the Council, this is the first full session attended by the Soviet Union.

The main substantive work of the Council during the third session was the examination of reports on the administration of the trust territories of Ruanda-Urundi (Belgium), Tanganyika (United Kingdom), and New Guinea (Australia). The Council drafted observations on the reports to be forwarded to the General Assembly, some of them critical of current policies and practices. The U.S. Representative, Ambassador Francis B. Sayre, was chairman of the drafting committee on Tanganyika.

The Council also examined a report submitted voluntarily by the Union of South Africa on the former mandated territory of South-West Africa. Mr. Sayre opened the discussion of this report with a statement pointing to a number of apparent deficiencies in the Union's handling of South-West African affairs. The Council's report to the General Assembly reflected many of these points.

The session ended in a bitter clash occasioned by a Soviet charge that the Council's action in the matter of a statute for the City of Jerusalem proved that body to be "an instrument of U.S. policy". (Over Soviet opposition, the Council had voted previously to postpone indefinitely discussions of the draft statute for Jerusalem.)

Vigorous protest followed from the other 11 delegates. Mr. Sayre said in part, "I am shocked that the official representative of a member state of the United Nations should stoop so low. The statement is utterly untrue and has no foundation in fact whatsoever, as I think the members of this Council know. It is a serious reflection not on the United States but on the character of the government which has introduced it."

Non-Self-Governing Territories

Benjamin Gerig, Chief of the Division of Dependent Area Affairs, U.S. Department of State, has been named to represent the United States on the General Assembly's Special Committee on Information on Non-Self-Governing Territories. The Committee will meet in Geneva from September 2 to 18 to examine information submitted by members having responsibility for non-self-governing territories.

Palestine

Ninety-five additional American truce observers were to be dispatched at once to Palestine at the request of Count Bernadotte, the U.N. mediator, it was announced during the week. Brig. Gen. William E. Riley of the U.S. Marine Corps was appointed chief of the U.S. observers, who now number 125. General Riley left on August 3 to report to Count Bernadotte at Rhodes.

The State Department also announced that the United States will send additional communications personnel and equipment to the mediator as soon as possible.

Palestine came before the Security Council on August 2 in the form of a discussion of the refugee situation. The British Representative suggested inquiry into the plight of Arab refugees from Jewish-held territory, who he said numbered between 250,000 and 550,000. The Representatives of the Ukraine and Israel then brought up the matter of the 10,000 Jews detained on the Island of Cyprus. The U.S. Representative, Philip C. Jessup, favored the action finally taken—referring the questions to the mediator.

Economic and Social Council

The Economic and Social Council, in its seventh session in Geneva, approved unanimously on August 4 the report of the Economic Commission for Europe. The resolution adopted expressed a hope for increased industrial and agricultural production, particularly in undeveloped countries, authorized steps toward implementation of this work, invited consultation with specialized agencies, and asked for an early analysis of the economic-reconstruction possibilities of trade expansion and development of underindustrialized countries.

The Council also approved the draft of an international protocol for the control of new synthetic drugs.

These were the main actions taken by the Council in the third week of the session. Most of the items on the 44-point agenda still were being considered in committee.

Disarmament Talks

Frederick H. Osborn, Deputy United States Representative in the Commission for Conventional Armaments, took occasion at a meeting on August 2 to counteract press speculation that the Commission will discontinue its work. Such speculation has been current since the Atomic Energy Commission announced that its negotiations had reached an impasse.

The U.S. position is not changed from that expressed to the General Assembly on September 1, 1947, by Secretary Marshall, Mr. Osborn said. The Secretary asserted then that "the regulation of armaments presupposes enough international understanding to make possible" peace treaties with Germany and Japan, implementation of agreements on military forces at the disposal of the Security Council, and an international control arrangement for atomic energy. "Nevertheless," added the Secretary, "we believe it is important not to delay the formulation of a system of armament regulation for implementation when conditions permit."

"We cannot but note regretfully," said Mr. Osborn, "that the Soviet system of obstruction in this Commission is the same as that employed by them in the Atomic Energy Commission. Nevertheless, the United States believes that the Commission must proceed with its work."

Philip C. Jessup, Deputy U.S. Representative in the Security Council, referred to Soviet intransigence in atomic-energy and conventional armament negotiations in a speech before the summer school sponsored by the United Nations and the New School for Social Research.

"The fear, the suspicion and distrust which permeate the Soviet attitudes toward these problems can be found influencing the position of Soviet Delegates on such issues as the Interim Committee on Greece and Korea," Mr. Jessup said. "This state of mind on the part of one of the great powers thus presents itself as one of the great issues facing the United Nations and in the whole international community. Obviously, it is a problem which cannot be solved quickly and certainly will not be solved easily. Patience and firmness in this phrase has become almost trite; but as a formula it has not yet been surpassed."

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

*Calendar of Meetings*¹

Journal during July

United Nations: Commission on Conventional Armaments	Lake Success	Mar. 25, 1947-July 1948
		1948
Trusteeship Council: Third Session	Lake Success	June 16-
(International Telecommunication Union): International Administrative Aeronautical Radio Conference	Geneva	May 15-
Fifth Plenary Meeting of International Radio Consultative Committee	Stockholm	July 12-31
(International Labor Organization): 95th and 106th Session of Governing Body	San Francisco	June 9-July 10
1st General Conference	San Francisco	June 17-July 10
.-Swedish Inter-Custodial Discussions	Washington	June 15-
al Society Information Conference	London	June 21-July 2
n (World Health Organization): First Session of World Health Assembly	Geneva	June 24-July
ernational Conference on Large High Tension Electric Systems: Twelfth Biennial Session	Paris	June 24-July 3
enth International Conference on Public Education	Geneva	June 28-July 3
ernational Council of Museums: First General Biennial Conference	Paris	June 28-July 3
ting of International Union of Family Organizations	Geneva	July 1-3
(International Children's Emergency Fund): rogram Committee	Paris	July 3-
ecutive Board	Geneva	July 16-
esco (United Nations Educational, Scientific and Cultural Organization): Eighth Session of Executive Board	Paris	July 12-17
International Poliomyelitis Conference	New York	July 12-17
enth International Congress of Agricultural Industries	Paris	July 12-18
Inter-American Conference for the Rehabilitation of Cripples	Mexico City	July 18-24
(Food and Agriculture Organization): Technical Conference of Latin American Nutrition Experts	Montevideo	July 18-28
International Congress of Linguists	Paris	July 19-24
ernational Wine Office: 27th Session of Committee	Paris	July 20-23
teenth International Congress of Zoology	Paris	July 21-27
International Congress of Orientalists	Paris	July 23-31

¹ Prepared in the Division of International Conferences, Department of State.

Calendar of Meetings—Continued

In session as of August 1, 1948		
Far Eastern Commission	Washington	1946 Feb. 26-
United Nations:		
Security Council	Lake Success	Mar. 25-
Military Staff Committee	Lake Success	Mar. 25-
		1947
Security Council's Committee of Good Offices on the Indonesian Question	Lake Success	Oct. 20-
General Assembly Special Committee on the Greek Question	Salonika and Geneva	Nov. 21-
		1948
Temporary Commission on Korea	Seoul	Jan. 12-
Interim Committee of the General Assembly	Lake Success	Feb. 23-
Security Council's Kashmir Commission	Geneva and Kashmir	June 15-
Economic and Social Council: Seventh Session	Geneva	July 19-
German External Property Negotiations (Safehaven):		1946
With Portugal	Lisbon	Sept. 3-
With Sweden	Madrid	Nov. 12-
Inter-Allied Trade Board for Japan	Washington	Oct. 24-
Council of Foreign Ministers:		1947
Deputies for Italian Colonial Problems	London	Oct. 3-
Commission of Investigation to Former Italian Colonies	London	Nov. 8-
		1948
ITU (International Telecommunication Union): Provisional Frequency Board	Geneva	Jan. 15-
ICAO (International Civil Aviation Organization): North Pacific Regional Air Navigation Meeting	Seattle	July 13-Aug. 2
Conference to Consider Free Navigation of the Danube	Belgrade	July 30-
Meeting of International Penal and Penitentiary Commission	Bern	July 31-
Scheduled for August 1-31, 1948		
Meeting of the United Kingdom and Dominions Official Medical Histories Liaison Committee	Oxford, England	Aug. 3-7
Eighth International Congress of Entomology	Stockholm	Aug. 8-14
International Congress on Mental Health	London	Aug. 11-21
Meeting on the General Agreement on Tariffs and Trade	Geneva	Aug. 15-25
IRO (International Refugee Organization):		
Seventh Part of First Session of Preparatory Commission	Geneva	Aug. 20-23
First Meeting of the General Council	Geneva	Aug. 23-
Eighth World's Poultry Congress	Copenhagen	Aug. 20-27
Seventeenth Conference of the International Red Cross	Stockholm	Aug. 20-30
United Nations:		
Ecosoc (Economic and Social Council):		
Economic Commission for Europe: Committee on Coal	Geneva	Aug. 23-
Subcommission on Statistical Sampling	Geneva	Aug. 30-
UNESCO (United Nations Educational, Scientific and Cultural Organization): Meeting of Radio Program Commission	Paris	Aug. 23-29
18th International Geological Congress	London	Aug. 25-Sept. 1
Ito (International Trade Organization): Meeting of Interim Commission	Geneva	Aug. 25-

International Institute of the Hylean Amazon

Established at Iquitos Conference

By Clarence A. Boonstra

On May 10, 1948, a convention was signed at Iquitos, Peru, by nine countries establishing the International Institute of the Hylean Amazon. The conference was held to plan for the establishment of the International Institute of the Hylean Amazon, sponsored by UNESCO and met from April 30 to May 10. Subjects of discussion were principally the draft documents prepared by UNESCO in accordance with recommendations of the International Commission which met at Belém in August 1947.

The objectives of the Institute are the encouragement of scientific investigations in the vast tropical region surrounding the Amazon River, the conduct of such research, the publication of results relating to the region, the maintenance of herbaria and similar technical functions. The term "Hylean Amazon" is considered by the Institute as denoting forested land inclusive of areas outside the Amazon drainage such as the Guianas, Dutch, and British Guianas, and parts of Venezuela. Iquitos as a site for the conference enabled the delegates to see at first hand a portion of the region, with characteristic heavy rainfall, high temperatures, and limited accommodations for living.

The conference elected Dr. Luis Alayza y Paz of Peru as president and named Dr. Linneu Albuquerque Mello of Brazil and Dr. Rafael Cordero of Ecuador as first and second vice presidents, respectively. Dr. Alayza has been intimately connected with this project since its inception, serving as vice chairman when the International Commission met at Belém in 1947. E. J. Horn of UNESCO was secretary of the conference at Iquitos.

Delegates to the convention were the Delegates from Bolivia, Brazil, Colombia, Ecuador, France, Netherlands, Peru, Italy, and Venezuela. The United States sent a delegation² to the conference but did not sign the convention, explaining its position that the organization and operation of the Institute should be primarily the responsibility of countries having Amazon territory, and that the United States could contribute most effectively to scientific projects by collaboration of its insti-

tutions and organizations. Such collaboration is contemplated by article XI of the convention, which grants wide powers to the Institute for cooperative arrangements with other organizations.

In addition to delegations from the countries named above, observers were present from the United Kingdom, Switzerland, UNESCO, the Pan American Union, the Inter-American Institute of Agricultural Sciences, and the International Education Office. All governments of countries belonging to UNESCO were informed of the conference and had the privilege of sending delegates or observers if they so desired.

The convention, which consists of 15 articles, provides that any member country of the United Nations or of its specialized organizations is eligible for membership in the Institute. Governing authority is vested in a council composed of representatives of all member countries, and administration is conducted through an executive committee and a director.

Under article X, the Institute is authorized to invite the Director General of UNESCO to participate in the council and in the executive committee, and to enter into an agreement with UNESCO outlining the terms of cooperation between the respective organizations. Also, the Director General of UNESCO is asked to propose one nominee on the list of five from which the council will choose a director of the Institute.

To enable an immediate start on Institute activities, the conference established an Interim Commission which will supervise operations until the convention enters into force after ratification of signatures by five Amazon nations. The Interim Commission met on May 14 and 15 at Manáos,

¹ For article by Remington Kellogg on "International Commission for the Establishment of an International Hylean Amazon Institute", see BULLETIN of Nov. 9, 1947, p. 891.

² Delegates representing the United States were Clarence A. Boonstra (chairman), Agricultural Attaché, American Embassy, Lima; Claude L. Horn, Head, Complementary Crops Division, Office of Foreign Agricultural Relations, Department of Agriculture; and Allan R. Holmberg, Cultural Anthropologist, Institute of Social Anthropology, Smithsonian Institution.

.VITIES AND DEVELOPMENTS

Brazil, and selected this city as the permanent headquarters of the Institute. Subcenters for research are planned for Iquitos, Peru; Riberalta, Bolivia; San Fernando de Atabapo, Venezuela; Sibundoy, Colombia; Archidona, Ecuador; and Belém do Pará, Brazil.

Officers of the Interim Commission are Heloisa Alberto Torres, President, and E. J. H. Corner. Both are located in Rio de Janeiro. Dra. Torres is director of the Museo Nacional, and Mr. Corner is principal field scientific officer of UNESCO, with offices in that city.

In sponsoring the organization of the Insitute, UNESCO has provided funds for 1948 which are being used for initial surveys as well as for the conference expenses. Five scientists have been employed this year for investigations in zoology, botany, and anthropology. Efforts will be made by them to assemble the results of previous explor-

ations and investigations in the Amazon, and encourage the establishment of museums and plant collections which will be useful in future studies. The conference has requested also that UNESCO assign several of the scientists to a regional study of the Huallaga valley of Peru.

The conference agreed on a 1949 budget amounting to \$306,200, of which \$209,370 is scheduled directly for research and \$96,830 for administration. Initial pledges undertaken by participating countries were \$150,000 by Brazil, \$40,000 each by Peru and Colombia, and \$25,000 by Venezuela. Other countries pledged amounts ranging from \$5,000 to \$15,000, with the exception of Italy which signed the convention but not the accompanying financial protocol. The convention provides that a permanent scale of contributions will be determined by discussions within the Institute after ratification of the basic agreement.

U.S. Delegation to UNESCO Preparatory Conference

The Department of State announced on July 26 the composition of the United States Delegation to the Preparatory Conference of Representatives of Universities to be convened by the United Nations Educational, Scientific and Cultural Organization (UNESCO), in cooperation with the Netherlands Government, the Netherlands National Commission of UNESCO, and the University of Utrecht, at Utrecht, August 2-13, 1948. The United States Delegation is as follows:

Chairman

George F. Zook, president, American Council on Education, Washington, D.C.

Delegates

Jaime Benitez, chancellor, University of Puerto Rico, Rio Piedras, Puerto Rico

Martha B. Lucas, president, Sweet Briar College, Sweet Briar, Va.

Thomas Raymond McConnell, dean, University of Minnesota, Minneapolis, Minn.

William F. Russell, dean, Teachers College, Columbia University, New York, N.Y.

Official Observers

Laurence Duggan, director, Institute of International Education, New York, N.Y.

Marten ten Hoor, dean, College of Arts and Sciences, University of Alabama, Tuscaloosa, Ala.

Rev. Edward B. Rooney, S.J., executive director, Jesuit Educational Association, New York, N. Y.

Dr. Howard E. Wilson, Carnegie Endowment for International Peace, New York, N.Y.

The forthcoming conference is being held pursuant to a resolution adopted at the Second Session

of the General Conference of UNESCO at Mexico City in November 1947. This resolution instructed the Director General of UNESCO to call together in 1948 a meeting of representatives of universities to: (1) consider plans for the development of an international association of universities; (2) consider the problem of equivalence of degrees, utilizing data which had been requested by UNESCO in 1947 from international associations concerned; (3) consider how education in international relations within universities may fulfill their mission in national life; (4) discuss ways and means whereby universities may fulfill their mission in national life; (5) consider how close cooperation between universities and UNESCO may be promoted; and (6) study the possibility of organizing, in certain universities throughout the world, international departments consisting of scholars, professors, and educators from foreign countries.

The Conference of Representatives of Universities is one of the most significant projects which UNESCO has undertaken. It is clear from reports that universities in all countries are facing a series of interrelated problems, such as problems of student population, university autonomy, and the place of research in the university. Close relationships among universities are widely recognized as being important at this crucial time. This conference should give to the university leaders a much needed opportunity to focus attention on their common problems.

THE RECORD OF THE WEEK

Opening of Special Session of Eightieth Congress

EXCERPTS FROM THE MESSAGE OF THE PRESIDENT TO THE CONGRESS¹

PRESIDENT, MR. SPEAKER, MEMBERS OF THE
EIGHTIETH CONGRESS:

The urgent needs of the American people require
presence here today.

Our people demand legislative action by their
Government to do two things: first, to check in-
flation and the rising cost of living, and second,
to help in meeting the acute housing shortage.

These are matters which affect every American
family. They also affect the entire world, for
peace depends upon the strength of our
economy.

The Communists, both here and abroad, are
threatening our present prosperity turning into a
depression. They do not believe that we can—
I put the brake on high prices. They are
leading on economic collapse in this country.

We should bring on another great depression
in the United States by failing to control high
prices, the world's hope for lasting peace would
be lost. A depression in the United States would
shake the ground from under the free nations of
the world. Economic collapse in this country would
delay the recovery throughout the world which
is essential to lasting peace. We would have only
ourselves to blame for the tragedy that would
follow.

In these tense days, when our strength is being
tested all over the world, it would be reckless folly
to fail to act against inflation.

Our relations with the rest of the world,
which is also needed at once, and can be taken
care of, to afford additional proof that we mean
what we say when we talk about freedom, hu-
manity, and international cooperation for peace
and prosperity. Three measures are involved.

First, the Displaced Persons Act in its present
form discriminates unfairly against some dis-
placed persons because of their religion, land of
origin, or occupation. These provisions are con-
trary to all American ideals. This act should be
promptly amended to wipe out these discrimi-
nations. Furthermore, the present act permits
entry of only 200,000 persons and charges
against future immigration quotas. I be-
lieve strongly that the act should provide for the
entry of 400,000 persons over a four-year period,

and they should be outside the normal immigra-
tion quotas. The act can and should be amended
promptly.

Second, many people in the world must wonder
how strongly we support the United Nations when
we hesitate to assist the construction of its perma-
nent home in this country. Legislation can and
should be passed at once to authorize a loan by the
United States Government to the United Nations
for the construction of U.N. headquarters build-
ings in New York City.

The international wheat agreement is another
vital measure on which the Congress should act.
This agreement is designed to insure stability in the
world wheat market in the years ahead when wheat
will be more plentiful. It would guarantee
American farmers an export market of 185 million
bushels of wheat at a fair price during each of the
next five years. Since the agreement is in the
form of a treaty it requires only ratification by
the Senate. Although this agreement should have
been ratified by July first of this year, we have
good reason to believe that it can still be made
effective if it is now ratified promptly.

Finally, I wish again to urge upon the Congress
the measures I recommended last February to pro-
tect and extend basic civil rights of citizenship
and human liberty. A number of bills to carry
out my recommendations have been introduced in
the Congress. Many of them have already re-
ceived careful consideration by Congressional
committees. Only one bill, however, has been
enacted, a bill relating to the rights of Americans
of Japanese origin. I believe that it is necessary
to enact the laws I have recommended in order
to make the guarantees of the Constitution real
and vital. I believe they are necessary to carry
out our American ideals of liberty and justice for
all.

I hope there is no misunderstanding of the rec-
ommendations I have made. I have asked the
Congress to return, first of all, in order to meet
the urgent need of our people for relief from high

¹ Delivered before the Congress of the United States
on July 27, 1948, and released to the press on the same
date. For complete text of the message, see H. Doc. 374,
80th Cong., 2d sess.

THE RECORD OF THE WEEK

prices and the housing shortage. I urge the Congress not to be distracted from these central purposes.

At the same time, as I have stated, the Congress can and should act on certain other important items of legislation at this special session.

These include: a comprehensive health program, based on health insurance; a fair and sound labor-management relations law—in place of the Taft-Hartley law which has proved to be unfair and unsound and which should be repealed; a real long-range farm program; a stronger reciprocal trade agreements act; a universal training program; a

national science foundation; strengthened trust laws; and approval of the St. Lawrence Waterway treaty.

The vigor of our democracy is judged by ability to take decisive actions—actions which are necessary to maintain our physical and moral strength and to raise our standards of living. In these days of continued stress, the test of that vigor becomes more and more difficult. The legislative and executive branches of our Government must meet that test today.

The American people rightfully expect us to meet it together. I hope that the American people will not look to us in vain.

Announcement Regarding Presentation of Hungarian Bank Shares

[Released to the press July 30]

The attention of American owners or custodians of shares of the National Bank of Hungary and of financial institutions in the first category of the central corporation of banking companies is called to the Department of State's announcement of June 29, 1948,¹ entitled "Hungary requires presentation of foreign-owned shares of Hungarian banks", stating that such shares must be presented for listing at a Hungarian consulate on or before August 31, 1948.

In this connection the Hungarian Consulate General at New York (37 Wall Street, New York, New York) has now published the following announcement in the press:

"According to Government Decree 5210/1948 Korm. of the Hungarian Republic published on May 6th, 1948, shares, share certificates, scrips or any negotiable papers (hereafter shares) of shareholders issued by the Hungarian National Bank and financial institutes belonging to the I. category of the Central Corporation of Banking Companies have to be presented by the owner or the custodian.

"When presenting the shares it must be stated in writing as to when, from whom and on what basis the shares had been acquired and, furthermore, if the owner is a foreign citizen, when his citizenship was acquired and, if he resided previously in Hungary, when did he leave the country.

"Physical persons living abroad and juridical persons domiciled outside of Hungary have to present shares at any Hungarian Consulate. The time limit for presentation is August 31, 1948. Presentation of shares must be effected on forms available free of charge at all Consulates. Persons whose shares are in Hungary should inform the custodian of all data so that he could make use of them when presenting the shares. If shares are in process of nullification, the declaration containing all details serves as substitute.

¹ BULLETIN of July 11, 1948, p. 54.

"The presentation or registration of the shares will be acknowledged by receipt. Shares not presented within the stipulated time, will be invalid.

"The following shares must be presented: National Bank of Hungary, British and Hungarian Bank Limited, The City Savings Bank Company Limited, City of Budapest Municipal Savings Bank Company Limited, Hungarian General Creditbank, Hungarian Discount Exchange Bank, Hungarian Italian Bank Limited, First National Savings Bank Corp. of Hungary, Hungarian Commercial Bank of Pest.

"Further: the shares of joint stock companies merged into the preceding ones, *vid.*: National Banking Corporation Limited, National Central Savings Bank of Hungary, National Credit Institution Limited, Hungarian General Savings Bank Limited, Caisse d'Epargne Unie de la Capitale de Budapest, Nova Communication and Industry Limited, et cetera."

Second Session, Geneva draft—Continued from page

ethnic, linguistic or religious minorities shall have the right, as far as compatible with public order, to establish and maintain schools and cultural or religious institutions, and to use their own language in the press, in public assembly and before the courts and other authorities of the State.)

TEXT PROPOSED BY THE SUB-COMMISSION ON THE PREVENTION OF DISCRIMINATION AND THE PROTECTION OF MINORITIES

(In States inhabited by well-defined ethnic, linguistic or religious groups which are clearly distinguished from the rest of the population, and which want to be accorded differential treatment, persons belonging to such groups shall have the right, as far as is compatible with public order and security, to establish and maintain their schools and cultural or religious institutions, and to use their own language and script in the press, in public assembly and before the courts and other authorities of the State, if they so choose.)

Department of State

Available by the Superintendent of Documents, Government Printing Office, Washington 25, D.C. Address requests to the Superintendent of Documents, except in the case of free publications, which may be obtained from the Department of State.

Accession to the People of Austria Under Public Law 80th Congress. Treaties and Other International Acts Series 1692. Pub. 3056. 15 pp. 10¢.

Agreement Between the United States of America and Austria—Signed at Vienna January 2, 1948; entered into force January 2, 1948.

Transfer of United States Naval Vessels and Equipment to the Chinese Government. Treaties and Other International Acts Series 1691. Pub. 3069. 35 pp. 10¢.

Agreement and Accompanying Notes Between the United States of America and China—Signed at Nanjing December 8, 1947; entered into force December 1947.

Information For Bearers of Passports, June 1, 1948. Department Series 9. Pub. 3146. 69 pp. Free.

Miscellaneous information regarding passports, nationality, and status of American citizens in certain countries.

International Control of Atomic Energy: Policy at Crossroads. General Foreign Policy Series 3. Pub. 3151. 251 pp. 45¢.

An informal summary record of the policy developments concerning the international control of atomic energy. October 15, 1946, to May 17, 1948; includes text of body of Third Report of the United Nations Atomic Energy Commission to the Security Council.

International Control of Atomic Energy: The Third Report of the Atomic Energy Commission to the Security Council, May 17, 1948. International Organization and Conference Series III, 7. Pub. 3179. 78 pp. 25¢.

Complete text of the Third Report, describing the proceedings in the Commission since September 1947 and explaining the impasse reached in the proceedings. Contains texts of pertinent documents, including resolutions and Soviet and U.S. statements.

Near East—Uneasy Crossroads. Foreign Affairs Outline Series 16. Pub. 3180. 4 pp. Free.

Discussion of the current situation in the Near East and of measures taken by the United States to improve it.

Interim Committee of the General Assembly: "The Assembly", A Legislative History. International Organization and Conference Series III, 9. Pub. 3204. 20¢.

Accession to the People of France Under Public Law 80th Congress. Treaties and Other International Acts Series 1690. Pub. 3063. 18 pp. 10¢.

Agreement Between the United States of America and France—Signed at Paris Jan. 2, 1948; entered into force Jan. 2, 1948.

Health and Sanitation: Cooperative Program in Haiti. Treaties and Other International Acts Series 1693. Pub. 3152. 1 pp. 5¢.

8, 1948

PUBLICATIONS

THE DEPARTMENT

Agreement Between the United States of America and Haiti Extending the Agreement of Apr. 7, 1942, as amended, until June 30, 1948—Effectuated by exchange of notes signed at Port-au-Prince Sept. 25 and 27, 1947; entered into force Sept. 27, 1947, effective Sept. 30, 1947.

Settlement of Lend-Lease Interest in Future Sales of Surplus Stores in the Middle East. Treaties and Other International Acts Series 1698. Pub. 3075. 5 pp. 5¢.

Agreement Between the United States of America and the United Kingdom of Great Britain and Northern Ireland Superseding in part the Agreement of Mar. 27, 1946—Signed at London Jan. 7, 1948; entered into force Jan. 7, 1948, effective July 15, 1947.

Air Service: Facilities at Eagle Farm and Amberley in Australia. Treaties and Other International Acts Series 1732. Pub. 3154. 4 pp. 5¢.

Agreement Between the United States of America and Australia—Signed at Canberra Mar. 10, 1947; entered into force Mar. 10, 1947.

Air Service: SCS-51 Equipment at Cointrin Airport in Switzerland. Treaties and Other International Acts Series 1736. Pub. 3158. 2 pp. 5¢.

Agreement Between the United States of America and Switzerland—Signed at Bern Apr. 30, 1947; entered into force Apr. 30, 1947.

Report on Japanese Reparations to the President of the United States, November 1945 to April 1946. Far Eastern Series 25. Pub. 3174. Approximately 250 pp., 10 charts. Processed. \$1.50.

Report by Edwin W. Pauley, Ambassador of the United States and Personal Representative of the President on Reparations.

Toward a World Maritime Organization. International Organization and Conference Series IV, Intergovernmental Maritime Consultative Organization 1. Pub. 3196. 28 pp. 15¢.

Articles on a world maritime organization, by Eula McDonald, and on the United Nations Maritime Conference, by John M. Cates, Jr.

Significance of Textiles in the Japanese Economy. Far Eastern Series 26. Pub. 3199. 8 pp. 10¢.

An article by Stanley Nehmer and Marguerite C. Crimmins.

Arms for the United Nations. International Organization and Conference Series III, 8. Pub. 3203. 18 pp. 15¢.

A paper on the discussion of the Military Staff Committee's Report to the Security Council, prepared by Donald C. Blaisdell.

Diplomatic List, July 1948. Pub. 3217. 190 pp. 30¢ a copy; \$3.25 a year domestic, \$4.50 a year foreign.

Monthly list of foreign diplomatic representatives in Washington, with their addresses.

THE FOREIGN SERVICE

Diplomatic and Consular Offices

The Legation and the Consulate at Bern, have been combined, effective July 1, 1948.

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Contributors

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Clarence A. Boonstra, author of the article on the establishment of the International Institute of the Hylean Amazon, is Agricultural Attaché, American Embassy, Lima. Mr. Boonstra served as chairman of the U.S. Delegation to the conference.

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The Department of State bulletin

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August 15, 1948

The Department of State BULLETIN, a weekly publication compiled and edited in the Division of Publications, Office of Public Affairs, provides the public and interested agencies of the Government with information on developments in the field of foreign relations and on the work of the Department of State and the Foreign Service. The BULLETIN includes press releases on foreign policy issued by the White House and the Department, and statements and addresses made by the President and by the Secretary of State and other officers of the Department, as well as special articles on various phases of international affairs and the functions of the Department. Information is included concerning treaties and international agreements to which the United States is or may become a party and treaties of general international interest.

Publications of the Department, as well as legislative material in the field of international relations, are listed currently.

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REVIEW OF SIX MONTHS OF PROGRESS IN THE INTERIM COMMITTEE

BY JOSEPH E. JOHNSON ¹

Deputy U.S. Representative on the Interim Committee

The six months during which the Interim Committee has sat have been busy ones.

It is an important fact that 52 members of the United Nations have at frequent intervals sat around a table and exchanged views on many important questions without the pressure of an immediate political dispute demanding settlement. That has permitted the Interim Committee to look beyond the immediate future and to do some thinking about long-range planning.

Here is my estimation of what the Interim Committee has done:

1. In the first place, I think it is fair to say that has avoided the necessity of a special session of the General Assembly by means of the Korean consultation. You will remember that the United Nations Temporary Commission on Korea was authorized to consult the Interim Committee in the light of developments. When it arrived in Korea it was faced with the negative attitude of the Soviet Government, it requested the Interim Committee for advice as to whether it should proceed with elections. It wanted the views of this body, presenting as it did all those members of the United Nations who were willing to take their seats. Within a week or two, it received the views of the Interim Committee that it should proceed with elections in those areas open to it, and there followed steps looking toward the creation of a Korean Government. The elections were duly held under the supervision of the Commission.

2. The Assembly has the responsibilities under article 13 and article 11 to promote international cooperation in the political field. That broad responsibility includes consideration of the pacific settlement of disputes. The Charter provides in article 33 that before going to United Nations

organs with a dispute the parties are expected "first of all" to seek a solution by various forms of pacific settlement. They are mentioned in article 33 as "negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice." As a constitutional document, the Charter has not set out in detail how these methods operate or what their nature is. Subcommittee 2 has had a look at this whole field and has written a report which attempts to put them all together in a systematic way and show what their relations are. The subcommittee has thus begun for the General Assembly an important study in a field for which the General Assembly is responsible. The Interim Committee feels that this study will be in the nature of a continuing examination of these principles.

Some modest, concrete proposals have resulted from the study. In the first place there is a recommendation resulting from a Chinese-United States proposal for the establishment of a panel from which commissions of conciliation or inquiry may

¹ Released to the press by the U.S. Mission to the U.N. on July 30, 1948. For previously published material relating to the Interim Committee, see U.S. draft resolution on the Problem of Voting in the Security Council, *BULLETIN* of Jan. 18, 1948, p. 86; Discussion in the Interim Committee on the Problem of Voting, U.S. Proposals and Statement by Philip C. Jessup, *BULLETIN* of Mar. 28, 1948, p. 412; The Little Assembly of the United Nations, by Philip C. Jessup, *BULLETIN* of May 2, 1948, p. 573; Future of the Interim Committee, Statement by Joseph E. Johnson, *BULLETIN* of June 27, 1948, p. 823; Voting in the Security Council, by Bernhard G. Bechhoefer, *BULLETIN* of July 4, 1948, p. 3; Korean Question in the U.N. Interim Committee, Statement by Philip C. Jessup, *Documents and State Papers*, May 1948, p. 92; The Interim Committee of the General Assembly: A Legislative History, by David W. Wainhouse, *Documents and State Papers*, June 1948, p. 159 (also Department of State publication 3204).

be drawn, either by the parties to a dispute or by United Nations organs. Putting aside technical considerations, what it amounts to is a list of competent persons of known ability, available on short notice, to act as individuals and not as representatives of governments in forming commissions of inquiry or conciliation. In case of urgent need, parties to a dispute or the Secretary-General can convene a commission by telephone or telegram, drawing on the membership of the panel. This element of time is important in the fast-moving world of today, and the commissions provided for in some of the older treaties could not under certain circumstances be convened in less than six months.

Another proposal approved by the subcommittee involves the conferring upon organs of the United Nations of certain responsibilities that officials of the League of Nations had under the General Act of 1928. The act is a multilateral treaty attempting to stop up gaps in the League of Nations Covenant by providing, in a flexible way, a system of peaceful settlement. It covers conciliation, arbitration, and judicial settlement and represented the best thinking of the time on these subjects. The United States is not a party to the General Act.

A third proposal which was acted upon suggested rules of procedure of the Security Council and the Assembly which would take over what was considered a useful League of Nations practice of having the parties to a dispute meet with either the president or some other representative of the Council or Assembly not later than after they had made their opening statements in either body. Following that, with the president or person so appointed, they could clarify the issues and areas of agreement and disagreement. It was the custom of the League of Nations Council to appoint a rapporteur for each dispute who would familiarize himself with details of the case and meet with the parties, in part as a conciliator and in part so that the case could be clearly presented and the discussion channeled toward the real questions at issue. In the Interim Committee proposals this man has been called a conciliator or rapporteur. This was the suggestion of the United Kingdom and Iranian Representatives arising out of their League experience.

There were other proposals which the subcommittee felt need further study. One is a Lebanese proposal that a permanent conciliation commission should be appointed as a subsidiary organ of the Assembly. There is an Ecuadoran proposal that questions of domestic jurisdiction, when they arise in the wide field of pacific settlement, should always find their way to the International Court of Justice. The United States had difficulties with the principles involved in both of these proposals.

China and the United States, considering the fact that there are few definite rules of procedure

in the field of pacific settlement, have suggested a multilateral treaty or General Assembly resolution that would cover all the procedural details which would come up before a United Nations commission in the field or a conciliation commission or before a moderator. We think it would be useful for states to be able to look at a collection of rules of procedure and thereby be able to ascertain how they would proceed if they wish to conciliate or mediate a particular dispute. We have referred in the subcommittee to rules of procedure or a civil practice act such as we have in American domestic law.

3. Then there is the veto. The exercise of veto power in the Security Council has the greatest bearing upon the vitality and success of the United Nations. We have taken the position that the most practical method of improving the situation caused by the abuse of the rule of unanimity is to liberalize the voting procedure.

We recognize the importance of the unanimity principle among the great powers, and therefore we have proceeded step by step. The United States suggested that the Interim Committee should study all the categories of decisions which the Security Council is required to make and to report to the General Assembly those categories which the Interim Committee thinks should be made by the affirmative vote of any seven members of the Council. We believe the most effective way of securing improvement of operations of the Council is by agreement of the permanent members on a report which is the result of careful and unhurried consideration in the Interim Committee.

The report approved by the Interim Committee is just such a report. It is a long and technical document, but a study of it will show just what the members of the United Nations who took the seats in the Interim Committee think about the various categories. We all agreed that certain decisions were procedural. We were all agreed that no recommendation should be made as to certain decisions, including all of those under chapter VII.

The United States has stated its willingness to eliminate the veto as to all chapter VI decisions and membership applications. The report of the subcommittee contains some divergencies of view on chapter VI decisions, but there is a wide measure of agreement that membership applications should not be subject to the veto.

This study provides the basis that is needed for consideration by the permanent members of the position on the veto. It is, we believe, the sure way to secure better voting procedures in the Security Council. That is one reason why we propose the calling of a conference now to revise the Charter. This apparent short cut would accomplish nothing.

The report is an important step in our efforts

strengthen the Charter and avoid abuses of the

The record of the Interim Committee shows that it should be continued. This veto report is a good example of the sort of job that the first committee or even one of its subcommittees could not possibly undertake during the pressure of the General Assembly, and a small *ad hoc* committee would lack the authority necessary to produce an effective result. The Interim Committee or some other body has got to carry on the study of post-war cooperation and pacific settlement. A good report has been made.

The absence of the Soviet bloc has made some of the Interim Committee work less effective than otherwise might have been. However, we do propose to urge the limitation of the development of the United Nations and its activities because the Soviet bloc does not choose to participate in a body, whether in the Interim Committee or various *ad hoc* committees of the General Assembly. We would like to see these six members take their seats in the Interim Committee. We think that its work indicates pretty clearly how incorrect the Soviet prophecy was that it would be used simply as a crude device to bypass the Security Council and to usurp its functions.

We would like to see all United Nations members contribute in an active way to the Interim Committee's work. But here as in other organs and committees where the Soviet bloc abstains, we do not propose to sit back and admit that their inactivity ties our hands.

By its work, the Interim Committee has shortened the probable length of the next session of the General Assembly. The carefully drafted reports, which details worked out and draft resolutions attached, are bound to save time for the Assembly's standing committees. The time-saving effect could be even more noticeable if the Committee had been called upon to undertake preparatory work for Assembly consideration of disputes referred to it in accordance with paragraph 2b of the resolution establishing the Interim Committee.

As the Interim Committee develops we may find this preparatory function repeatedly used.

We have seen the Interim Committee conduct its follow-up function for the General Assembly in a careful and thorough way in both the veto question and the Korean case. I am sure the Political and Security Committee of the General Assembly will realize the usefulness of this body for following up on complicated cases when it considers these two items in Paris. Consequently, they are likely to want the Interim Committee to undertake further work of this sort next year.

Therefore, we feel that the Interim Committee is winding up a successful first season and that it will have a role to play in the sound development of the United Nations organization.

Harper Sibley Named Chairman of U.N. Day Citizens' Committee

Harper Sibley of Rochester, New York, has accepted the invitation of Secretary of State George C. Marshall to be chairman of the National Citizens' Committee for United Nations Day. Frank B. Frederick of Boston and Alger Hiss of New York have also accepted invitations to be vice chairmen of the Committee.

The General Assembly of the United Nations on October 31, 1947, passed a resolution naming October 24 as United Nations Day and inviting all member governments to cooperate with the United Nations in securing the observance of this day.

The United Nations resolution states that the day "shall be devoted to making known to the peoples of the world the aims and achievements of the United Nations and to gaining their support for the work of the United Nations". A resolution, passed at the Second Session of the General Conference of UNESCO, suggests that national commissions or cooperating bodies in member states encourage "the teaching of the Charter, structure and activities of the United Nations" within the limits of their resources.

A meeting of some 60 national organizations and government agencies, sponsored jointly by the Department of State and the United States National Commission for UNESCO, was held June 25 in Washington to consider ways of implementing the United Nations and UNESCO resolutions.

The meeting of interested national groups agreed that there should be created a national citizens' committee to promote United Nations Day in the United States, to be appointed by the Secretary of State.

Close liaison will be maintained between the Committee, the United Nations, the State Department and through it the UNESCO National Commission, and the United States Mission to the United Nations.

Letters of Credence

Hungary

The newly appointed Minister of Hungary, Andrew Sik, presented his credentials to the President on August 4, 1948. For texts of the Minister's remarks and the President's reply, see Department of State press release 627 of August 4.

India

The newly appointed Ambassador of India, Sir Benegal Rama Rau, C.I.E., presented his credentials to the President on August 5, 1948. For texts of the Ambassador's remarks and the President's reply, see Department of State press release 630 of August 5.

U.S. Position Regarding Establishment of System for Regulation of Armaments

STATEMENT BY FREDERICK H. OSBORN¹

Deputy U.S. Representative in the Commission for Conventional Armaments

The United States Government wishes to draw the attention of the Commission to the action which it took in approving the United Kingdom resolution on principles at the last meeting of the Working Committee and to make clear its position that the work of this body should be continued. The responsibility of my Government and other governments represented on this Commission arises from article 26 of the Charter and previous actions of the General Assembly and the Security Council.

Article 26 of the Charter provides that "the Security Council shall be responsible for formulating . . . plans to be submitted to the Members of the United Nations for the establishment of a system for the regulation of armaments."

In the General Assembly resolution of December 14, 1946, the General Assembly recommended to the Security Council that it give "prompt consideration to formulating the practical measures, according to their priority, which are essential to provide for general regulation and reduction of armaments and armed forces. . . . The plans formulated by the Security Council shall be submitted by the Secretary General to the Members of the United Nations".

The Security Council resolution establishing this Commission provided that the Commission will submit to the Security Council proposals (a) for the regulation and reduction of armaments and armed forces and (b) for practical and effective safeguards in connection with the general regulation and reduction of armaments.

The plan of work for the Commission for Conventional Armaments approved by the Security Council on July 8, 1947, contains the following items:

"1. Consider and make recommendations to the Security Council concerning armaments and

armed forces which fall within the jurisdiction of the Commission for Conventional Armaments."

"2. Consideration and determination of general principles in connection with the regulation and reduction of armaments and armed forces."

"3. Consideration of practical and effective safeguards by means of an international system of control operating through special organs (by other means) to protect complying States against the hazards of violations and evasion."

"4. Formulate practical proposals for the regulation and reduction of armaments and armed forces."

"5. Extension of the principles and proposals set forth in paragraphs 2, 3, and 4 above to States which are not Members of the United Nations."

"6. Submission of a report or reports to the Security Council including, if possible, a final report on the Convention."

The Working Committee of the Commission for Conventional Armaments has now completed its consideration of items 1 and 2 of this plan of work. The chairman of the Commission has suggested that the Commission submit an interim progress report to the Security Council indicating the status of its work.

The United States will support the proposal of the chairman for the submission of an interim status report to the Security Council. At the same time I would like to make it clear that the position of the United States is that the work of the Commission should continue with as little delay as possible. The position of the United States is best expressed in the words of Secretary Marshall to the General Assembly on September 17, 1947:

"The United States . . . recognizes the importance of regulating conventional armaments. We regret that much more progress has not been made in this field. . . . it is very easy to pay lip service to the sincere aspirations of all peoples for the limitation and reduction of armed forces. This is a serious matter which should not be the subject of demagogic appeals and irresponsible propaganda."

¹ Made before the meeting of the Commission for Conventional Armaments on Aug. 2, 1948, and released to the press by the U.S. Mission to the U.N. on the same date.

anda. I say frankly to the General Assembly that it is the conviction of my Government that a workable system for the regulation of armaments cannot be put into operation until conditions of international confidence prevail. We have consistently and repeatedly made it clear that the regulation of armaments presupposes enough international understanding to make possible the settlement of peace terms with Germany and Japan, the implementation of agreements putting military forces and facilities at the disposal of the Security Council, and an international arrangement for the control of atomic energy.

"Nevertheless, we believe it is important not to delay the formulation of a system of arms regulation for implementation when conditions permit. The Security Council has accepted a logical plan of work for the Commission for Conventional Armaments. We believe that the Commission should proceed vigorously to develop a system for the regulation of armaments in the business-like manner outlined in its plan of work."

The work of this Commission has continued to be hampered by "demagogic appeals and irresponsible propaganda". We cannot but note regretfully that the Soviet system of obstructionism in this commission is the same as that employed by them in the Atomic Energy Commission. Nevertheless, the United States believes that the Commission must proceed with its work.

Status of Report on Overall Strength and Composition of Armed Forces¹

The Chairman of the Military Staff Committee to the President of the Security Council

2 July 1948

On 31 July 1947 all the Delegations in the Military Staff Committee had tabled their provisional estimates on the Overall Strength and Composition of the Armed Forces to be made available to the Security Council by Member Nations of the United Nations.

The Military Staff Committee consequently instructed a Sub-Committee to open an informal debate with the object of reconciling the various proposals (see letter dated 29 August 1947 from the Chairman of the Military Staff Committee to the Secretary-General).

¹ U.N. doc. S/879, July 9, 1948.

Printed materials may be secured in the United States from the International Documents Service, Columbia University Press, 2960 Broadway, New York City. Other materials (mimeographed or processed documents) may be consulted at certain designated libraries in the United States.

August 15, 1948

On 23 December 1947 this Sub-Committee reported the results of its work to the Military Staff Committee.

Since the beginning of 1948, the Military Staff Committee has been mainly engaged in the consideration of the Sub-Committee's report. This consideration is now completed. However, the Military Staff Committee is not in a position to undertake the final review of the Overall Strength and Composition of the Armed Forces to be made available to the Security Council by Member Nations of the United Nations and so make further progress in this matter towards the conclusion of the Special Agreements required by Article 43 of the Charter until agreement has been reached in the Security Council on the divergences of view on the General Principles given in the Report submitted by the Military Staff Committee to the Security Council on 30 April 1947 (S/336).

A. PH. VASILIEV

Lieutenant-General, Soviet Army

Chairman

Military Staff Committee

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—No. 68, 294th and 295th meetings, 18 May 1948. 47 pp. printed. 50¢.

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—No. 71, 299th and 300th meetings, 21 May 1948. 44 pp. printed. 45¢.

—No. 74, 304th and 305th meetings, 26 May 1948. 52 pp. printed. 50¢.

(Continued on page 215)

The United States in the United Nations

Trieste

The United States answered in detail on August 10 the charges of Yugoslavia that the United States and the United Kingdom have violated the Italian peace treaty in the administration of their zone in Trieste.

The full presentation was made by Philip C. Jessup, Deputy United States Representative in the Security Council, in an hour-long speech. Dr. Jessup also suggested the "necessity for careful consideration of the administration of the entire Territory [of Trieste] with a view to determining whether it is being properly administered by the caretaker military governments", and reiterated the earlier U.S.-British-French call for revision of the Italian treaty to incorporate Trieste within the boundaries of Italy.

Yugoslavia based its charges largely on article 24, paragraph 4, of the Permanent Statute of the Free Territory of Trieste, which says: "Economic union or associations of an exclusive character with any State are incompatible with the status of the Free Territory." It was charged that certain currency and banking ties between Italy and the U.S.-U.K. zone violated this provision.

Mr. Jessup based his answer principally on articles 10 and 11 of the Instrument for the Provisional Regime, the instrument agreed upon by the four major powers to be the basic law for the area until the proposed Governor could establish an independent government. Article 10 provides that "Existing laws and regulations shall remain valid unless and until revoked or suspended by the Governor." Article 11 provides that "Pending the establishment of a separate currency regime for the Free Territory the Italian lira shall continue to be the legal tender within the Free Territory. The Italian Government shall supply the foreign exchange and currency needs of the Free Territory under conditions no less favorable than those applying in Italy."

Thus the four powers intended to retain the financial link with Italy which existed prior to the treaty, Dr. Jessup said, and the agreements between the U.S.-U.K. zone and the Italian Government were in strict conformity with those intentions. He quoted from official statements of the Council of Foreign Ministers to show that the Council "unanimously accepted the necessity of continuing exclusive arrangements with Italy until the Governor had sufficient time to set up an independent economic regime."¹

On August 6 the United Kingdom and the United States jointly forwarded to the Security

Council the third quarterly report of Maj. Gen. S. Airey, Commander of the U.S.-British zone of Trieste.²

President Signs Loan Bill

President Truman signed into law the \$65,000,000 U.N. headquarters loan bill at White House ceremonies August 11. The measure "demonstrates our faith in the future of the United Nations and expresses the welcome which that organization finds within our country", the President said.

Those present at the signing were Secretary of State Marshall; Ambassador Warren R. Austin; U.S. Representative to the United Nations; U.N. Secretary-General Trygve Lie; Assistant Secretary-General Byron Price; Tom Connally, Senate Foreign Relations Committee; Charles A. Egan and Sol Bloom, House Foreign Affairs Committee.

ECOSOC

After lengthy debate the Economic and Social Council, meeting in Geneva, adopted on August 11 a U.S. resolution noting "with satisfaction" the Secretary-General's report on the Habana conference which established the International Trade Organization. The vote was 15 to 3.

Earlier the Council noted with satisfaction reports of the World Health Organization and the United Nations Educational, Scientific and Cultural Organization. The Council also took action on such subjects as migration, narcotics research laboratories, and the work of the Population Commission.

Conventional Armaments

The Commission for Conventional Armaments, working toward completion of its report to the Security Council, approved on August 12 a resolution setting forth the principles recommended as basic to any system regulating and reducing armaments and armed forces.

Such regulation and reduction, the resolution said, "can only be put into effect in an atmosphere of international confidence and security".

The conditions essential to such confidence and security, the resolution stated, include establishment of adequate security forces under the United Nations, international control of atomic energy and conclusion of peace settlements with Germany and Japan.

The vote was 9 to 2, the Soviet Union and Ukraine opposing.

¹ U. S. Mission to the United Nations press release.

² U.N. doc. S/953.

CONFERENCE TO CONSIDER FREE NAVIGATION OF THE DANUBE

Opening of the Conference

STATEMENT BY AMBASSADOR CAVENDISH W. CANNON¹

Chairman of the U.S. Delegation

The task of this Conference is to implement principles to which all our governments have already pledged agreement in the treaties of peace between the Allied and Associated Powers and Rumania, Bulgaria, and Hungary. The Government of the United States has vigorously advocated these principles since the end of the war. We have gathered here to establish international arrangements covering the entire navigable Danube, which will in fact assure freedom of navigation to all nations on a footing of equality.

I hope that the political factors which have engaged much of our attention since this Conference opened will not divert us from this objective. I know that in making this assertion I differ from the opinion expressed by the Soviet Delegate at the problem of this Conference is essentially political. I think it would be most deplorable if we persist in making it so. We Americans are practical people. Let me say at the outset that we want ships of all flags to move up and down the river. We consider that this Conference should work out a system to restore a once flourishing traffic, and, by its further development, to speed the recovery of Europe. The welfare of the peoples of the vast region served by this great waterway and the development of its resources are necessarily dependent upon the facilities for meeting the urgent need of supplies of many kinds and for the exchange of goods. These peoples will measure the success or failure of our work here by the realities of its contribution to economic progress. Every state represented here has something to contribute in accomplishing this task. Every state represented here has a real and legitimate interest in the Danube. To the riparian states the Danube is a vital artery of trade with one another and with other parts of the world. Others have a direct economic interest because of their trade in shipping, actual and potential. Many are parties to previous international conventions relating to navigation on the river. The United States believes that any international regime es-

tablished by the Conference should take fully into account the interests of all these states, whether riparian or nonriparian.

Clearly, the riparian states have a primary interest. The Danube, however, has long been recognized as an international highway open to the trade of all nations. The United States is of the firm opinion that provision should be made for the representation of the legitimate interests of nonriparian states on the International Commission established to carry out the provisions of a Danube convention. We are convinced that such representation, by virtue of its basic importance for expanding trade and shipping activity, is equally in the interests of the peoples who live along the Danube.

We do not admit that nonriparian representation can justly be termed a "privileged position" as was stated yesterday by the Soviet Delegate in his résumé of his proposed draft. On the contrary, an important reason for my Government's strong conviction in favor of nonriparian representation lies in the dangers inherent in exclusive control which can too easily be misused for the privileged interest of one country or a limited group of countries at the expense of all others. This has been demonstrated to the detriment of riparian as well as nonriparian states, both in the distant and in the recent past.

The United States interest in the Danube is based upon several considerations in addition to its role as a sponsor of this Conference.

The share of the United States in achieving the common Allied victory in Europe is well known to every delegate seated around this table. More important, however, for the purposes of our discussions here, is the unprecedented material contribution made by the American people to Europe in recent years. This is proof of our determination

¹ Made on Aug. 5, 1948, at Belgrade and released to the press on the same date. Printed from telegraphic text. Mr. Cannon is U.S. Ambassador to the Federal People's Republic of Yugoslavia.

to assist the European peoples in the reconstruction and the development of their economies.

Even more pertinent is the flow of billions of dollars of goods and equipment from America which my Government is currently making available under the European Recovery Program. This great undertaking proves the determination of the United States to continue to contribute to the improvement of the welfare of all European peoples. It is based on the conviction that economic health is a prime condition for peace. As a signatory to the peace treaties which are already in effect, the United States has a joint responsibility with other signatory powers to insure the effective and adequate implementation of the principles of freedom of navigation. A similar provision has been agreed upon for incorporation in the Austrian treaty. The United States has the responsibility of participating directly in the problems of the Danube by reason of what is still a provisional situation as regards the treaty with Austria and by reason of the American occupation of that zone of Germany through which the navigable Danube flows. This latter responsibility will continue until a sovereign German government is established and is granted full participation in a Danube regime.

The charge, which has been made several times in this hall, that the United States has espoused the principle of freedom of navigation in order to dominate smaller Danubian nations has no foundation whatever, as those who have made it are well aware.

I have spent much of my life in this part of Europe. I was in Belgrade 28 years ago in a post-war period when these countries had to grapple with many of the problems of economic dislocation which are vexing them today. I was again in Belgrade in April 1941 when parts of the city and of the river port were destroyed by German bombs and when the debris of bridges and river craft choked the river. I know something of the general economic problems of these Danubian nations and their hopes for economic progress. From this personal experience let me express to the Conference my deep conviction that no people, no nation in this part of Europe, is really afraid of American domination.

Given good will and consideration for the views of all states represented here, this Conference is surely competent to write a convention with sufficient safeguards against interference with the independence of individual countries and against exploitation of any kind.

Our goal is a convention acceptable to all the nations represented at this table. I agree heartily with the Soviet Delegate when he says that no delegation should attempt to impose its will on the Conference. We are here to negotiate, I repeat, to negotiate an agreement. Only by agreement can we hope to fulfil the objective of a

regime implementing the principles to which a of us are already committed.

I was surprised at our session yesterday to hear the Yugoslav Delegate assert that the Danube is no longer being used for purposes of economic penetration. I would ask the indulgence of the Conference to present briefly some evidence to the contrary.

The Soviet Union has put into operation a system of shipping and other transportation and development companies in several Danube states with varying degrees of Soviet ownership and in most cases, effective Soviet control. These companies conform to a familiar pattern. In the first place, they have generally been given privileged treatment in terms of business taxes and rights to import goods without licenses or duties. Thus, these companies, in effect, have been granted special privileges and have been subsidized by the Danubian governments.

These companies not only dominate the Danube fleets in the various countries, but more important have obtained control of most of the useful ports and dock facilities. Loading stations, factories, dwellings, warehouses, elevators, railroad and communication connections, have been put under the control of these companies. This type of control is certainly not needed for the purpose of efficient shipping operations. It is clear that this virtual monopoly of facilities can be used at will to make available, or to deny, the essential facilities of the major Danubian ports to ships of other nations, even including other riparian nations. I ask the Conference to give special attention to article 38 of the Soviet draft in the light of the conditions.

Let us now look at the American record. The United States has had military control over 200 miles of the river in Germany and Austria for over 3 years. The United States has at no time attempted to gain monopolistic control for itself for anyone else and has not taken advantage of its occupation role to secure any commercial gain from the river.

Repeatedly during the debates which have taken place at this Conference the importance of the sovereignty of states has been stressed. The United States recognizes and respects such sovereignty and has no intention of advancing proposals limiting or curtailing the right of a state independently to judge its interests and rights and to act accordingly.

We believe there are certain important provisions which a new convention should contain. We think that it should include not only the necessary statement of free and open navigation but also even more important provisions for achieving the objective. Accordingly, definite provisions should be made to provide equal right of access to ports and facilities for the commercial vessels of all nations. Navigation companies should be allowed

engage in commerce and to establish agencies along the river. These provisions for operation should not be crippled by qualifications which would, in their effect, limit the use of the river to the ships of certain privileged nations or privileged companies.

Concomitant with our belief in the urgent need for strong provisions looking toward free and open navigation and a commission with nonriparian representation, the United States is of the view that there should be a clear statement of the functions of the Commission.

The Commission should provide for continuous study of conditions of navigation and commerce, and in addition should have power itself to look into such matters firsthand. The Commission should be empowered to make recommendations on proposals concerning navigation, commerce, and the use of water resources; draw up navigation, sanitation, and police regulations with the objective of achieving uniformity for the whole course of the Danube; recommend uniform conditions for pilots' and navigators' licenses, crews papers, *laissez-passer* arrangements, and safety requirements; and have a secretariat chosen in such a way as to secure the widest representation from states members of the Commission. It should consider any complaints and questions relative to the interpretation of the convention.

The United States considers that the proposed Danube Commission should be brought into association with appropriate organs of the United Nations. We should be glad to hear suggestions from other delegations regarding the form which such association might take. It is particularly unfortunate that we do not have present here observers representing the United Nations. Because of the refusal of the Soviet Government to join the other three sponsoring powers in acceding to Secretary-General Lie's request to send observers, no invitation could be issued.

On one especially important point, the settlement of disputes, we feel that the convention should make specific reference to the United Nations.

Differences regarding interpretation or application of the convention should, in accordance with provisions of the United Nations Charter, be submitted to appropriate international bodies for arbitration or judicial settlement.

In accordance with the resolution of the Council of Foreign Ministers of December 1946, provision should be made that the convention may be amended by a conference composed of representatives of all parties to the present Conference. Other states which may have become parties to the Danube convention should also be represented at such a conference.

We have examined with great interest the draft convention submitted on Monday by the Soviet Delegation. As is evident from my outline of the approach of the United States Delegation, there are points where we seem to be in agreement. But we find that in general the Soviet draft is inadequate to assure that freedom of navigation to which all of us are committed.

If, as the Soviet Delegate has suggested, detailed discussion may be undertaken in a committee, the United States Delegation will want to ask the Soviet Delegation for clarification of a number of points. For the moment, I shall limit my remarks to some of the major items.

We consider that the Soviet Union's draft provisions on membership and organization of the Commission are wholly inadequate. We do not feel that a commission established at Galatz upon the ratification of six riparian states with vague functions and with two special regional administrations would meet the interest of the peoples of the Danube area or the requirements of world commerce. Moreover, there does not appear to be effective provision for the right of ships of all nations to operate on the Danube.

The Soviet draft gives inadequate recognition to the rights of one of the principal Danube states, Austria, in that it does not provide for immediate Austrian accession to the convention. The draft likewise has no provision for eventual German participation. No mention is made of the United Nations. It is thus apparent that there are a number of matters of substance on which the views of the United States and Soviet Delegations are at variance. In our joint efforts to reach agreement and solution it may be of assistance to the Conference to have the United States view in the form of a draft convention. Accordingly, I have had such a draft prepared and will transmit it to the Secretary General for circulation to the Conference delegation.

FRENCH AND RUSSIAN ADOPTED AS OFFICIAL LANGUAGES

[Released to the press August 21]

At the opening session of the Danubian Conference on July 30, the major argument centered around the official languages to be used at the Conference. Deputy Foreign Minister Andrei Vyshinsky, Chairman of the Soviet Delegation, proposed Russian and French as the official languages of the Conference. (The official languages of a conference are those used in all documentation.) Ambassador Cavendish Cannon, Chairman of the United States Delegation, pointed out that this would preclude an English text in any convention concluded. Ambassador Cannon was supported in this stand by Sir Charles Peak, Chairman of the United Kingdom Delegation. After debate it was agreed that English would be used as a working language. (Working languages are used for purposes of debate rather than documentation.) Ambassador Cannon, in supporting use of the English language as an official rather than a working language, made the following points:

1. The United States was surprised at the determined effort, so richly and speciously documented, to exclude English as an official language, as this was a simple procedural matter which should logically have been settled automatically in accordance with practices at other conferences held since the conclusion of hostilities.

2. He failed to see the analogy to the present conference of "precedents" cited by Vyshinsky. (In arguments that the English language should not be used as an official language, Vyshinsky cited the Versailles Conference, the Danube Conference of 1921, and United Nations procedure.) Am-

bassador Cannon pointed out that the closest parallel was in fact the Paris Conference of 1919 when English, French, and Russian were adopted as the official as well as the working languages of that Conference.

3. That the Danube Conference had been called following the decision of, and at the suggestion of, the United States, United Kingdom, France, and the U.S.S.R., two of which were English-speaking.

4. The United States Delegation hoped that other Delegations would remember that the eyes of the world are on this conference and that the apparent predetermined effort to push through such a decision as this would make an unfortunate impression.

5. That heed must be paid to problems of practical operations of the Conference. Failure to issue documents in English, Ambassador Cannon pointed out, would increase the burden on English-speaking Delegations, and the United States Delegation should not be placed in a position of having to submit to its Government final documents of which no authentic English text exists.

6. That the United States Delegation felt that the important thing now was to get on with the work at the Conference in a spirit of cooperation and that the introduction of the language issue at this way was jeopardizing this possibility.

The proposal for the use of English, French, and Russian as working languages was unanimously accepted. The Soviet proposal that French and Russian be adopted as the official languages was adopted by a seven to three majority.

AUSTRIA DENIED FULL PARTICIPATION AT SECOND PLENARY SESSION

[Released to the press August 21]

At the second plenary session of the Danube Conference held at Belgrade on July 31, the Austrian Delegation made its plea for full participation in the Conference as a voting member rather than as an observer. The position taken by the Austrian Delegation was strongly supported by the United States and the United Kingdom Delegations. Ambassador Cavendish Cannon, Chairman of the United States Delegation, in supporting the Austrian position, made the following statement:

"The United States Delegation wishes to support the request of the Austrian Government that this Conference agree, at this time, to full Austrian participation in all Conference matters.

"It is the firm view of the United States that a convention regarding a regime for the Danube should be discussed in its substantive issues without the benefit of Austrian participation on the basis of equality. As mentioned by the Austrian Delegation, not only is the Danube of importance to Austria, but in addition Austria is important to the river and therefore to the welfare of the peoples along the river. It is the view of the United States Delegation that this Conference should promptly welcome the Austrian Delegation to full participation, and I put forward the proposal that Austria be seated."

The Conference voted seven to two against the United States motion to accept Austria as a full voting member.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

S. DELEGATIONS TO INTERNATIONAL CONFERENCES

Mental Health

The Department of State announced on August 5 the composition of the United States Delegation to the International Congress on Mental Health, scheduled to be held at London, August 11-21, 1948. The United States Delegation is as follows:

Chairman

Winfred Overholser, Superintendent, St. Elizabeth's Hospital, Federal Security Agency

Delegates

John M. Addams, Specialist, Community Nursing, Veterans Administration

John M. Caldwell, Jr., M.C., Chief, Neuropsychiatry Consultants Division, Medical Department, Department of the Army

Martha Eliot, Associate Chief, Children's Bureau, Social Security Administration, Federal Security Agency

Robert H. Felix, Medical Director, Mental Hygiene Division, U.S. Public Health Service

Frederick L. McDaniels, M.C., Chief, Professional Division, Bureau of Medicine and Surgery, Department of the Navy

E. Switzer, Assistant to the Administrator, Federal Security Agency

Harvey J. Tompkins, Chief, Neuropsychiatry Division, Department of Medicine and Surgery, Veterans Administration

The Congress is being held under the auspices of the National Association for Mental Health of England.

Limnology

The Department of State announced on August 5 that Dr. John Van Oosten, Chief, Great Lakes Investigation, Fish and Wildlife Service, Department of the Interior, will be the United States delegate to the Tenth Congress of the International Society of Limnology, scheduled to be held at Zürich, August 18-25, 1948.

This Congress, one of a series, is primarily concerned with the exchange of scientific information on the study of fresh waters. The program of the Congress will consist of the presentation of papers on the following subjects: (1) theoretical limnology (botany, zoology, chemistry, physics of water, lacustral typology); (2) hydrology, utilization of water (drinking and industrial water supply and ground water); (3) water sanitation (hygiene and sewage purification); and (4) fish-

eries. In addition, a number of excursions to points of interest near Zürich have been scheduled.

Red Cross

The Department of State announced on August 5 the composition of the United States Delegation to the Seventeenth International Red Cross Conference scheduled to be held at Stockholm August 20-30, 1948. The United States Delegation is as follows:

Chairman

Basil O'Connor, President, American Red Cross

Delegates

Albert E. Clattenberg, Jr., First Secretary, American Embassy, Lisbon

Brig. Gen. Joseph V. Dillon, Air Provost Marshal, Department of the Air Forces

Commander William C. Mott, Chief International Law Officer, Office of the Judge Advocate General, Department of the Navy

Lt. Gen. Willard S. Paul, Director, Personnel and Administration, Department of the Army

Technical Advisers

Paul Aiken, Second Assistant Postmaster General, Post Office Department

Brig. Gen. Blackshear M. Bryan, Chief of Staff, Caribbean Defense Command, Department of the Army

Edward J. Ennis, Representative of the Department of Justice

Eldred D. Kuppinger, Second Secretary and Consul, American Embassy, London

William H. McCahon, Assistant Chief, Division of Protective Services, Department of State

Raymond T. Yingling, Assistant Legal Adviser, Department of State

Secretary to the Delegation

William H. Ketner, Division of International Conferences, Department of State

Administrative Assistant

Mary A. Sheridan, Division of International Conferences, Department of State

Stenographer

Edith B. Jackson, Division of Protective Services, Department of State

The forthcoming Conference is the first to be held since 1938. By agreement at the Sixteenth International Red Cross Conference, held at London, the Swedish Red Cross is acting as host society for the forthcoming meeting. The work of the Conference will be divided among the following commissions: general; legal; Junior Red Cross; relief; health, nursing and social assist-

ACTIVITIES AND DEVELOPMENTS

ance; and drafting. Each commission will cover certain items on the agenda and submit their reports to the plenary sessions of the Conference.

The item on the agenda of this Conference of primary interest to the United States Government is the discussions which will take place concerning the proposed revisions of the Geneva prisoners-of-war convention of 1929 and related humanitarian conventions and the drafting of a new convention applicable to civilians in wartime. These discussions are preliminary in nature and preparatory to the calling at a later date of a formal diplomatic conference to sign conventions. The United States participated in an informal meeting of government experts on this subject which was convened at Geneva in April 1947 under the auspices of the International Committee of the Red Cross.

Those participating in the work of the Conference will include representatives of National Red Cross Societies, the League of Red Cross Societies, the International Committee of the Red Cross, and governments signatory to the Geneva Red Cross conventions.

Kootenay River

The members of the International Joint Commission, United States and Canada, met at Bonners Ferry, Idaho, on July 27, 1948, in accordance with the notice given to United States and Canadian officials and to citizens of both countries to consider measures for the prevention of the serious damage caused by floods of the Kootenay River in the United States and in Canada.¹ The meeting was called at the request of Governor C. A. Robins of Idaho, and those present included the following officials:

United States Section, International Joint Commission

A. O. Stanley, Chairman
Roger McWhorter, Commissioner
Jesse B. Ellis, Secretary

Canadian Section, International Joint Commission

George Spence, Commissioner
Elizabeth M. Sutherland, Acting Secretary

United States Department of State

William R. Vallance, Assistant to Legal Adviser (Counsel assigned to Commission)

Canadian Department of External Affairs

Kenneth J. Burbridge, Assistant Legal Adviser

International Columbia River Board of Engineers

UNITED STATES SECTION

Carl G. Paulsen, Chief, U.S. Geological Survey
Gene Webber, Corps of Engineers, Department of the Army

¹ See BULLETIN of July 11, 1948, p. 49.

CANADIAN SECTION

Victor Meek, Dominion Water and Power Bureau, Ottawa
C. E. Webb, Deputy to Mr. Meek in British Columbia

United States Geological Survey

C. S. Heidel, Helena, Mont.

State of Idaho

Governor C. A. Robins
Henry Dworshak, U.S. Senator
Mark Kulp, Commissioner of Reclamation

Province of British Columbia

Premier Byron Johnson
Frank Putnam, Minister of Agriculture
E. T. Kenney, Minister of Lands and Forests
George P. Melrose, Deputy Minister, Department of Lands and Forests
R. C. Farrow, Controller of Water Rights, Department of Lands

Chairman Stanley emphasized the importance of control of the head waters of the Kootenay River in order to prevent a repetition of the serious damage which had occurred in the Kootenay Valley owing to floods this year. Emphasis was placed upon the great water-power resources of the Pacific Northwest and the advantage through construction of storage reservoirs of the use of these flood waters for the development of hydroelectric power and for irrigation purposes. Governor Robins made a comprehensive statement regarding the extent of the damage suffered in Idaho, which amounted between \$13,500,000 and \$15,000,000, and asked that the Commission take action to provide storage reservoirs upstream on the Kootenay River. Byron Johnson, Premier of British Columbia, gave assurance that proposals recommended by the International Joint Commission would receive prompt consideration and action by his Government. Although not committing the Government of the Province to any particular project, he expressed his strong intention to cooperate with the officers of the United States and of the adjoining States in efforts to prevent a similar disaster in subsequent years. Other Canadian officials gave similar assurances. The testimony of Canadian witnesses indicated that damages amounting to approximately \$1,300,000 had been caused by the flood waters in Canada.

Col. L. H. Hewitt, District Engineer for the Seattle District, submitted a report entitled "Kootenai Flood Problem and Proposed Solution". This report recommended the construction of a large dam near Libby, Mont. Other testimony supported this project. Senator Dworshak gave assurance that he would support the proposal for remedying the existing situation that is recommended by the United States Army Corps of Engineers and endorsed by the International Joint Commission. The appropriation of the necessary funds for construction of this project would be given his strong support.

THE RECORD OF THE WEEK

Economic Factors in U. S. Foreign Policy

BY WINTHROP G. BROWN¹

Director of the Office of International Trade Policy

Introduction

American economic foreign policy has its roots in the basic philosophy of the founders of this nation. It is predicated upon the twin concepts of equal opportunity in foreign trade and the necessity for expanding the production and interchange of goods and services. It asserts in the twentieth century, as it did in the eighteenth, that there are still great areas for that expansion. And its essential objective is now, as it was at the birth of our Nation, limitation or elimination of restrictions upon that expansion and upon that equality of opportunity.

World conditions today make the attainment of these ends more difficult. World trade is badly out of balance. Many nations do not believe in free competition as we do. Nationalism is rampant in all quarters of the world. Such conditions require adaptation of our principles to accommodate changing problems and opinions of other nations with which we trade. But they do not alter the fundamental philosophy with which we approach the problem.

Origins of Our Economic Foreign Policy

From the very beginning of our national existence, international trade has played a major role in our economic development. On June 12, 1776, a few weeks before the Declaration of Independence, the Continental Congress created a special committee to study international trade in relation to our foreign policy. The Continental Congress must have been very busy in that historic summer of 1776, but the importance of international trade was so great that it assigned no less eminent men than Benjamin Franklin, John Adams, and Robert Morris to the committee. The committee prepared a project, known to us today as the "Plan of 1776", that was adopted by the Continental Congress in the fall of that year and that served as a guide for our commercial policies for many years to come. This plan provided for an open-door trade policy that, in today's language, might be called multilateralism. It con-

templated that Americans would trade with France (or other countries) free of the arbitrary restrictions imposed upon the colonies by England to divert colonial trade to or through the mother country in an early version of the Empire preference system. It proposed that United States citizens might trade with France (or other countries) without paying any higher "duties or imposts in the ports, havens, roads, countries, cities or towns" of France than French subjects paid. It proposed that American citizens should have the same "rights, liberties and privileges" in France that French citizens enjoyed. It proposed also that exports from the French West Indies should pay no higher export duties when going to the United States than when going to France.

Here, then, are the beginnings of basic conceptions which underlie our economic foreign policy today. The founders of the Republic knew that international trade was of vital importance to this country; that an open-door policy between countries was essential for trade to expand; and that certain principles or rules were necessary for an orderly and full development of international trade. Experience and political insight told them that economic foreign policy cannot be dissociated from political foreign policy. Peace and trade are the two sides of the same coin.

America's Stake in International Trade

Our foreign trade has expanded more than a thousandfold since the beginnings of the Republic. We are now the world's principal foreign-trading country. Our exports are larger than those of any other country. Our imports are second only to those of the United Kingdom. Our total foreign trade in 1947 was 20 billions of dollars.

Such are the origins of our policy and such the magnitude of the matters with which we are dealing. What are some of the problems which we face today?

¹ Made at the University of Wyoming, Laramie, Wyo., on Aug. 2, 1948, and released to the press on the same date.

... This committee adopted as the basis for its deliberations the *Suggested Charter for an International Trade Organization*,² published in September 1946 by the United States. . . .

Fundamentals of the Charter

Let us therefore examine this charter—this constitution for world trade—to see what it would do and what it holds for good or ill for the United States.

The charter does two things. It sets up an International Trade Organization. It sets forth rules which the members of the Organization will agree to follow in the conduct of their international trade. It is a comprehensive document of 106 articles and 30,000 words. It is the result of over two years of international negotiation, preceded by more years of preparatory work within the United States Government and preliminary consultations with the United Kingdom and Canada. It reflects the comments of different American groups, given in public hearings in seven cities of the United States. It represents the harmonization, in a series of international discussions, of the diverse views of first 3, then 18, then 23, and, finally, of 53 countries. These countries represent every stage of economic development and almost every variety of economic philosophy. That agreement was reached is a tribute to the skill of the negotiators and the good will of the participating countries.

The Obligation To Consult

This charter reflects, first of all, belief in the simple truth that the world will be a better place to live in if nations, instead of taking unilateral action without regard to the interests of others, will adopt and follow common principles and enter into consultation through an international organization when interests come into conflict.

Decisions in the Ito are, except in certain special cases, by majority vote. The Ito is not a super state any more than the back porch is the city government. It derives its authority from the voluntary undertaking of members to settle their disputes through the Ito machinery. It can recommend measures for the settlement of disputes, but it cannot order any member to take any action. Nevertheless, it is not powerless. For if the Ito finds that a member, Country X, is not living up to its charter commitments, it may authorize other members to withhold from Country X the lower tariff rates and other privileges which members in good

² Department of State publication 2598.

standing enjoy. If Country X is dissatisfied with such a decision, it may withdraw from the Organization.

By this process of consultation and decision one can avoid unilateral action by one country which will hurt others and build up a body of international law in the economic field by the same method.

Equal Opportunity for All

The charter reflects the belief that each country should give equal treatment to the commerce of other nations.

Nothing is more irksome to an individual, or provokes more unfriendly feeling between nations, than does unequal and unfair treatment. The founders of the Republic recognized this in the wise old "Plan of 1776" when they adopted the principle of nondiscrimination as its first article and in 1778 incorporated it in our first commercial treaty.

And so, throughout the charter runs the theme to quote its language, that:

"Any advantage, favour, privilege, or immunity granted by any Member to any product shall be accorded immediately and unconditionally to a like product originating in or destined for all other Member countries."

As in many other cases in the charter, this rule could not under present-day circumstances be applied without qualification. Exceptions had to be made, for example, for important existing preferential systems, such as the preferences within the British Empire and those between the United States and Cuba. But even here preferences must not be increased, and there is an obligation to negotiate them downwards.

In a few special cases, such as the formation of a customs union or the development of an underdeveloped country, a new preference may be allowed but only in accord with defined standards and under the supervision of the Organization.

Reduction of Barriers—Public and Private

The charter reflects the belief that excessive arbitrary barriers to trade must be reduced, so that trade may be large and may flow to the maximum extent possible according to the drive of market forces.

To this end, members of the Ito undertake to negotiate with each other for the substantial reduction of the general level of tariffs and to abandon the quota, the most effective of all barriers to trade, as a protective device. For 14 years the United States has followed the policy under the Trade Agreements Act, just renewed by the Congress, of negotiating for tariff reductions. In joining the Ito, other nations would undertake to do likewise.

To this end, members agree to lower the "in-
visible tariff" of customs formalities. Business-
men know that the red tape of hundreds of
separate customs requirements, each different for
different countries, causes wear and tear on trade,
time, and human nerves and are often as effective
barriers to trade as tariffs or even quotas. The
charter simplifies customs formalities and makes
regulations more uniform as between members.
This is the most comprehensive international agree-
ment in this field which has yet been achieved.

To this end, also, members agree to prevent pub-
lic or private commercial enterprises from en-
gaging in practices which restrain competition,
stabilize markets, fix prices, or foster monopolies.
Trade barriers are not always imposed by
governments. They are also imposed by private
public business concerns to restrict trade and to
maintain higher-than-competitive prices. Mem-
bers may bring complaints to ITO that enterprises
in other countries are indulging in cartel activi-
ties injurious to their trade. The ITO is em-
powered to investigate such complaints, to request
the offending member country to take remedial
action, and to recommend what that action should
be.

The charter represents the first attempt in
history to obtain international action for curbing
international cartels.

Here again, however, there are exceptions to the
general rules to take account of the current de-
ficient shortages of goods and exchange in many
countries and of certain special situations. For
example, a country which is short of foreign ex-
change, as most countries are today, must of ne-
cessity ration its imports, just as an individual of
limited income must limit his expenditures. The
charter would permit quotas to accomplish this
rationing. But the country must abide by certain
rules in their use and abandon them when its ex-
change difficulties are over. Or a country employ-
ing a domestic crop-control program to stabilize
its agricultural economy may use quotas to restrict
exports of the crop in question, which, if uncon-
trolled, might jeopardize the program. But such
quotas may not limit imports more, proportion-
ately, than the domestic control program limits
domestic production. And, in some cases, if cer-
tain strict standards are met and the ITO approves,
quotas may be used to develop a sound new in-
dustry in an underdeveloped country.

Multilateral Trade

The undertakings of the charter about equality
of treatment and reduction of artificial trade bar-
riers, taken together, reflect the further funda-
mental belief that international trade should be
multilateral rather than bilateral; that traders
should be able to buy and sell where they please,

exchanging goods for money and money for goods,
rather than having sales confined to buyers who
agree to deliver equivalent values in other specified
goods. Multilateral trade permits the maximum
interchange of goods. Bilateralism and barter
limit the number, size, and kind of business trans-
actions to the capacity of the weaker partner.

Stabilization in the Field of Primary Commodities

The charter reflects the belief that progressive
trade policies must be supported by consistent pol-
icies for stabilization in the field of certain primary
commodities. Prolonged and drastic fluctuations
in world markets for these commodities can create
widespread hardship and unemployment and thus
undermine the very foundations of a cooperative
world economy. Machinery and rules should be
provided for reaching intergovernmental agree-
ments to govern temporarily the production and
marketing of such commodities when they are in
burdensome world surplus.

To this end, the charter provides that countries
may, under certain circumstances, make a com-
modity agreement to regulate the production, ex-
port, import, or price of a primary product. The
conditions under which such agreements are per-
mitted are, however, carefully defined. Agree-
ments are limited to primary commodities (par-
ticularly when there are many small producers);
there must be an existing or expected burdensome
surplus which would cause serious injury; produc-
ing and consuming countries must have equal voice
in the development and operation of the agree-
ment; they must be limited to a duration of five
years or less (although renewable); and they must
be accompanied by a definite program for solving
the basic maladjustments in the field. The ITO
has the right to determine whether proposed agree-
ments meet these standards.

The requirement that producing and consuming
countries have equal voice in making commodity
agreements is especially important, in the interests
of economic stability and fairness. If limited to
producer countries (as in the old tin cartel), the
result might be unduly high prices to consumers.
If limited to consuming countries, the result might
be ruinous prices to producers.

Development of Underdeveloped Areas

The charter reflects the belief that it is essential
to develop the resources of underdeveloped areas
and to make the fullest use of the resources of all
areas. Increased production and increased con-
sumption lead the way hand in hand to increased
prosperity, and one's most highly developed neigh-
bors turn out to be one's best markets.

To this end, members undertake to take meas-
ures designed to maintain productive employment
and buying power within their own borders as a
means of stimulating trade, avoiding measures

which would create difficulties for the economies of others, to encourage private and public international investment, and to recognize the need for economic advancement of less well-developed areas.

Private Enterprise and State Trading

Finally, and very important, the charter reflects the belief that though nations may choose to use different systems of trading, it is possible for them to work in harmony.

In the United States we believe in private enterprise and free competition in our domestic and in our foreign trade. Our constant objective is the preservation and strengthening of the private-enterprise system. This was the purpose of our negotiators who worked on the charter. And we believe that the charter will serve this purpose. Yet nowhere does it require that international trade must be conducted by private enterprise. Nowhere does it condemn state trading.

This may at first blush seem strange to you. The fact is, however, that we are very lonely in our belief in private enterprise. Many other nations believe that the conduct of certain aspects of their trade, sometimes all of it, can best be conducted, or at least should be controlled, by the state. In fact, we engage in state trading in a number of cases ourselves. This belief of other nations arises sometimes from the exigencies of the current shortage situation, sometimes from a basic philosophy different from ours. But I am sure you will agree that it would be wholly inconsistent with our own convictions about individual liberty and national sovereignty for us or any nation to try to dictate to other nations the means which they must employ for the conduct of their trade. Nations, like individuals, are entitled to their own opinion as to what is the best way to handle their affairs so long as what they do does not injure others.

What the charter does, therefore, is to provide a framework within which our system of private enterprise can have the maximum opportunity to develop and to demonstrate its effectiveness; a framework in which private and state enterprise can work together; a framework in which state enterprise, hitherto free to do entirely as it wished, is made subject to certain rules of the game designed, so far as possible, to be consistent with the rules under which private enterprise must operate.

The Complexity of the Charter

Because international trade is complex and the problems of nations are diverse, the charter is long, complicated, and difficult to understand. Yet, complicated as it is, I doubt if it is much less easily intelligible than our own income-tax laws or other laws under which we conduct our daily lives, or even some insurance policies and mortgages.

It would have been possible to draft a general declaration of principles and to have set up an international discussion and study group. That would have been easy—and it would have had little impact on world economic problems. General declarations, without specific commitments and implementing action, are as Prince Metternich said a century ago “a sonorous nothing”.

Its Exceptions

That is, also, why the charter has exceptions.

We wanted rules that would work for the long term; rules that would set the direction of our efforts toward expanding international trade in the years to come. But we could not overlook the fact that the realities of today's world demand measures to meet today's problems today. So the charter contains transitional rules (call them exceptions if you like) to meet the immediate extraordinary situation as well as long-term rules for the long-term pattern. Either set of rules without the other would imperil the over-all objective.

We also wanted an organization that many nations could join to seek a solution of common problems by common action. We could not overlook the fact that these nations had many different interests and many different points of view. We remembered the words of the *Federalist*, commenting upon our own Constitution:

“The result of the deliberations of all collective bodies, must necessarily be a compound as well of the errors and prejudices, as of the good sense and wisdom of the individuals of whom they are composed. The compacts which are to embrace thirteen distinct States, in a common bond of amity and union, must as necessarily be a compromise of as many dissimilar interests and inclinations.”

What was true of 13 distinct states in 1778 is true of 53 distinct states in 1948.

The Question for the United States

The question which we and other countries must now decide is whether this charter shall be ratified and the ITO established. It can be improved by amendment as we work with it. It must by its terms be entirely reviewed in five years. But it cannot be renegotiated now.

The charter is no panacea for the world's economic ills. It has many imperfections. It is not wholly satisfactory to any country because it reflects the views and recognizes the problems of many countries. But never before in the history of the world have so many nations reached agreement over so wide a range of principle in their economic relations. The deepest need of the world today is agreement and a sense of direction. Na-

ns can no longer solve their problems alone. National boundaries have long since ceased to control either depression or prosperity. In a troubled world, ravaged by storms of controversy and disagreement, the great majority of the nations of the world have come together in agreement on matters of basic economic importance. They have laid a foundation on which we can build.

Is it not the part of wisdom to take this foundation and build on it? We have taken the basic ideas of the statesmen of 1776 as the cornerstones of our economic foreign policy for today. Should we not, in considering this charter—this constitution for world trade—remember what some of these statesmen said about our own Constitution of the United States? For when I was trying to write the conclusion of this speech, I found it already written for me in John Jay's address to the people of New York in 1778 about the adoption of the Constitution, saying just what I wanted to say to you in words that could have been written today:

"The men who formed this plan are Americans, who had long deserved and enjoyed our confidence, and who are as much interested in having good government as any of us are or can be. . . .

"The impossibility of agreeing upon any plan, that would exactly quadrate with the local policy and objects of every state, soon became evident; and they wisely thought it better mutually to coincide and accommodate, and in that way to fashion their system as much as possible by the circumstances and wishes of the different states, than, pertinaciously adhering each to his own ideas, to urge the Convention to rise without doing anything. They were sensible that obstacles, arising from local circumstances, would not cease while these circumstances continued to exist. . . .

"They tell us, very honestly, that this plan is the

result of accommodation. They do not hold it up as the best of all possible ones, but only as the best which they could unite in and agree to.

"Suppose this plan to be rejected; what measures would you propose for obtaining a better? Some will answer, 'Let us appoint another convention; . . . they will be better informed than the former one was, and consequently be better able to make and agree upon a more eligible one'.

"This reasoning is fair . . . but it nevertheless takes one thing for granted which appears very doubtful; for although the new convention might have more information, and perhaps equal abilities, yet it does not from thence follow that they would be equally disposed to agree. The contrary of this position is most probable. . . .

"Let those who are sanguine in their expectations of a better plan from a new convention, also reflect on the delays and risks to which it would expose us. Let them consider whether we ought . . . to give other nations further time to perfect their restrictive systems of commerce, reconcile their own people to them, and to fence, and guard, and strengthen them by all those regulations and contrivances in which a jealous policy is ever fruitful.

"But if, for the reasons already mentioned, and others that we cannot now perceive, the new convention, instead of producing a better plan, should give us only a history of their disputes, or should offer us one still less pleasing than the present, where would we be then?

"Consider, then, how weighty and how many considerations advise and persuade the people of America . . . to have confidence in themselves and in one another; and, since all cannot see with the same eyes, at least to give the proposed Constitution a fair trial, and to mend it as time, occasion, and experience, may dictate."

Sino-American Joint Commission on Rural Reconstruction ¹

AMERICAN EMBASSY PRESS RELEASE

[Released to the press August 4].

Following is the text of a press release issued by the American Embassy at Nanking on the occasion of the signature and exchange of notes with the Chinese Ministry of Foreign Affairs providing for the establishment of a Sino-American Joint Commission on Rural Reconstruction in China.

An exchange of notes providing for the establishment of a Sino-American Joint Commission on Rural Reconstruction in China took place at the Ministry of Foreign Affairs at 11 a.m. August 4. The Honorable J. Leighton Stuart, American

Ambassador to China, signed a note on behalf of the Government of the United States, proposing the establishment of the Commission in accordance with the China Aid Act of 1948 and the economic aid agreement between the two countries signed at Nanking on July 3, 1948. In his note of response, His Excellency Dr. Wang Shih-chieh, Minister for Foreign Affairs of China, accepted, on behalf of his Government, the proposals put forth by the American Ambassador.

¹ Statement and exchange of notes printed from telegraphic text.

STATEMENT BY AMBASSADOR J. LEIGHTON STUART

[Released to the press August 4]

It is my sincere hope that students of Chinese social and economic problems will consider this day to be a milestone of progress toward sound improvement of conditions in the rural areas of this country. The notes exchanged today between His Excellency Dr. Wang Shih-chieh and myself provide for the establishment of a Sino-American commission on rural reconstruction in China. Establishment of this Commission, in the work of which I shall take a deep and personal interest, is made in recognition of the importance of reconstruction in the rural areas to the welfare of the Chinese people as a whole, in recognition of the obvious fact that such reconstruction should have in its purpose the improvement of economic, social, and cultural conditions in these areas. I am sure

that the report of the establishment of this commission will be received with considerable interest in the United States. The terms of reference of the commission, contained in the agreement embodied in the notes exchanged today, are sufficiently broad to permit the commission to undertake a highly significant program in the field of rural reconstruction. I am specially gratified with the establishment of the commission because it represents another chapter in the long record of collaboration between China and the United States in this field, one of the most recent instances of which was the joint China-United States agricultural mission in 1946. That mission's findings and recommendations are, I understand, to be used in large part as a basis for the work of the commission which is about to be established.

EXCHANGE OF NOTES BETWEEN AMERICAN AND CHINESE GOVERNMENTS

The American Ambassador to the Chinese Foreign Minister

[Released to the press August 4]

EXCELLENCY: I have the honor to refer to Section 407 of the China Aid Act of 1948 enacted by the Government of the United States of America (hereinafter referred to as the Act), which provides, among other things, for the conclusion of an agreement between China and the United States of America establishing a Joint Commission on Rural Reconstruction in China. In pursuance of the general principles laid down in the Act, and in particular section 407 thereof, I have the honor to bring forward the following proposals regarding the organization of the Joint Commission and related matters:

1. There shall be established a Joint Commission on Rural Reconstruction in China (hereinafter referred to as the Commission) to be composed of two citizens of the United States of America appointed by the President of the United States of America and three citizens of the Republic of China to be appointed by the President of China. The Commission shall elect one of the Chinese members as chairman.

2. The functions and authority of the Commission shall, subject to the provisions of the above-mentioned section of the Act, be as follows: (a) to formulate and carry out through appropriate Chinese Government authorities and international or private agencies in China a coordinated program for reconstruction in rural areas of China (hereinafter referred to as the program); (b) to conclude arrangements with the authorities and agencies referred to in the preceding paragraph establishing

a basis for their cooperation; (c) to recommend to the Governments of the United States of America and of China within the limits prescribed by the Act the allocation of funds and other assistance for the program, and to recommend to the Government of China the allocation of such other funds and assistance as are deemed essential to the successful execution of the program; (d) to establish standards of performance for implementation of the program, including the qualifications, type and number of personnel to be used by cooperating authorities and agencies in the program, and to maintain a constant supervision of all phases of the program with authority to recommend changes in or stoppage of any phase of the program; (e) to appoint such executive officers and administrative staff as the Commission deems necessary to carry out the program, it being understood that the chief executive officer shall be a citizen of China. Salaries, expenses of travel, and other expenses incident to the administrative functions of the Commission itself shall be paid from funds made available under Section 407 (B) of the Act.

3. In its program the Commission may include the following types of activity to be carried out in accordance with the agreement and agencies referred to in paragraph 2(a): (a) A coordinated extension-type program in agriculture, home demonstration, health and education for initiation in a selected group of Hsienin several provinces to include a limited number of subsidiary projects suited to conditions in the areas where the program is developed, in such fields as agricultural production, marketing, credit, irrigation, home and community industries, nutrition, sanitation, and education of a nature which will facilitate the promotion

all projects being undertaken; (b) Consultation with the Chinese Government concerning ways and means of progressively carrying out land reclamation measures; (c) Subsidiary projects in research training and manufacturing to be carried out in suitable locations to provide information, personnel and materials required by the program; (d) Projects to be put into effect over a wider area than provided for in the coordinated extension-program specified in (a) any of the above categories of activity which can be developed soundly on a larger scale, of which examples might be the multiplication and distribution of improved seeds, the control of rinderpest of cattle, the construction of irrigation and drainage facilities and the introduction of health and sanitation measures; (e) Related measures in line with the general objectives of this program; (f) The distribution of the assistance in this program on the principle of giving due attention to strengthening rural improvement in areas where selected projects can be most effectively developed and where their development will contribute most effectively to the achievement of purposes for which this program is undertaken but that the principle of distributing aid will be controlled by proportionate or geographical consideration *per se*.

In respect of any decision of the Commission, the approval of the Government of China shall be obtained prior to its execution if the Commission or its chairman, with the concurrence of the other members, deems it necessary.

The Commission shall publish in China and transmit to the Government of the United States of America and the Government of China, in a form and at such times as may be requested by either of the two governments, full statements of operations, including a statement on the use of funds, supplies and services received, and will transmit to the two governments any other matter pertinent to operations as requested by either of the two governments. The Government of China shall keep the people of China fully informed of the intended purpose and scope of the program and of the progress achieved by the Commission in implementing the program, including the nature and extent of the assistance furnished by the Government of the United States of America.

The Government of China will, upon appropriate notification of the Ambassador of the United States of America in China, consider the United States members and personnel of the Commission as part of the Embassy of the United States of America in China for the purpose of enjoying the privileges and immunities accorded that Embassy and its personnel of comparable rank. It is understood that the Ambassador of the United States of America in China in making notification will bear in mind the desirability

of restricting so far as practicable the number of officials for whom full diplomatic privileges and immunities would be requested. It is also understood that the detailed application of this paragraph would, when necessary, be a subject of inter-governmental discussion.

7. All supplies imported into China for use in the program shall be free of customs duties, conservancy dues, and other charges imposed by the Government of China on similar supplies which are imported through regular commercial channels.

8. The Government of the United States of America and the Government of China will consult with respect to problems incident to the interpretation, implementation and possible amendment of the terms of the agreement embodied in this exchange of notes whenever either of the two governments considers such action appropriate.

9. The Government of the United States of America reserves the right at any time to terminate or suspend its assistance or any part thereof provided under this exchange of notes. Assistance furnished by the Government of the United States of America under Section 407 of the Act and pursuant to this exchange of notes shall not be construed as an express or implied assumption by the Government of the United States of America of any responsibility for making any further contributions to carry out the purpose of Section 407 of the Act or of this exchange of notes.

10. This note and Your Excellency's reply accepting the above proposals on behalf of the Government of China will constitute an agreement between the two governments in the sense of Section 407 of the Act. Subject to the provisions of paragraphs 8 and 9, this exchange of notes will remain in force until June 30, 1949, or, upon the request of either government transmitted to the other government at least two months before June 30, 1949, until the date of termination of Economic Aid Agreement between the two governments concluded on July 3, 1948.

I avail [etc.]

J. LEIGHTON STUART

The Chinese Foreign Minister to the American Ambassador

EXCELLENCY: I have the honor to acknowledge receipt of your note of today's date which reads as follows:

[Here is quoted the above note.]

On behalf of the Government of China I have the honor to accept the proposals contained in the note quoted above.

In recognition of the importance of the program

THE RECORD OF THE WEEK

as one of the essential means of achieving the objectives in which the Governments of China and the United States of America unite in seeking under the Economic Aid Agreement between the two governments concluded on July 3, 1948 the Government of China undertakes to afford to the execution of the program the full weight of its support

and to direct cooperating agencies of the Government of China including the local officials concerned to give such assistance and facilities as are essential to the success of their undertakings under the program.

I avail myself [etc.]

WANG SHIH-CHIEH

Monrovia Port Opened to International Commerce

GENERAL STATEMENT

The Republic of Liberia celebrated on July 27 its 101st anniversary of independence by opening to international commerce its newly built port and harbor at Monrovia. Constructed in accordance with a lend-lease agreement between Liberia and the United States signed December 31, 1943,¹ the new port will function as a free port in which foreign merchandise may be landed, stored, repacked, sorted, mixed, and re-exported with a minimum of customs control and without customs bond. The Monrovia free port is the only such facility on the west coast of Africa, and it is anticipated that it will attract a large volume of international transshipment trade.

Repayment to the United States of the amount contributed out of lend-lease funds for the construction of the Monrovia port will be derived from the revenues of the port.

The Monrovia port was constructed by private contract under the direction and supervision of the Bureau of Yards and Docks, Department of the

Navy. Approximately 225 American and 1,800 Liberian personnel were employed in building the port. The port covers an area equivalent to approximately 750 acres, and is protected by two breakwaters, each more than 7,100 feet long. The channel 600 feet wide and 30 feet deep at mean low water provides access to a 2,000-foot wharf which will accommodate four large cargo vessels. Adjacent to the wharf is a turning basin approximately 2,000 feet square in which nine vessels can be anchored.

Facilities in the port area include a warehouse 800 feet long and 80 feet wide, in addition to power, water, and sanitary units. Certain areas have been designated for petroleum bulk terminal facilities, latex storage tanks, iron-ore loading equipment, and cold-storage facilities.

The new port will be operated for the benefit of all nations enjoying friendly relations with Liberia, and will be administered by the Monrovia Port Management Company, Ltd.

MESSAGE FROM PRESIDENT TRUMAN TO PRESIDENT TUBMAN

President Truman was represented at the opening ceremony by Thomas A. Hickok, Chargé d'Affaires of the American Legation at Monrovia, who delivered the following message from President Truman to the President of Liberia, William V. S. Tubman

July 23, 1948.

I am particularly pleased to send to Your Excellency and to the people of Liberia notice that the construction of the port and harbor at Monrovia, undertaken by the United States in accordance with the Agreement signed between our two countries on December 31, 1943, has been completed.

By opening this free port today to international

trade, Liberia takes a significant step forward in the direction of accomplishing the objectives set forth in the Master Lend-Lease agreement between our two Governments. These objectives have been defined as the promotion of mutually advantageous economic relations between our two countries, the betterment of worldwide economic conditions, and the elimination of all forms of discriminatory treatment in international commerce.

It is the sincere belief of the United States Government that, henceforward, Liberia's domestic economy, as well as its foreign commerce, will expand in ever-increasing volumes as a result of the manifold advantages of this new port and harbor.

On behalf of the people of the United States, I send to Your Excellency and to the people of Liberia best wishes for a long successful and beneficial operation of the free port of Monrovia.

¹ BULLETIN of Jan. 8, 1944, p. 38.

Procedure For Filing War Claims in Morocco

[Released to the press August 3]

The Department of State has been informed by the American Legation at Tangier that under Moroccan legislation which provides compensation for war losses to property in Morocco, claims of foreigners must be filed before September 11, 1948. It has not yet been determined whether, in view of the extraterritorial rights of the United States in Morocco, the war-damage compensation legislation of Morocco applies to American nationals. Any American national who sustained a loss to property in Morocco is advised to notify the Department of State immediately.

Egyptian Government Urged To Investigate Death of Stephen Haas

Letter From Jefferson Patterson, American Chargé at Cairo, to Egyptian Foreign Office, Delivered July 25, 1948

[Released to the press July 27]

My Government views with grave concern the death of Mr. Stephen Haas, an American citizen in Cairo on July 18, 1948 and requests that an official report be furnished concerning this most serious incident at the earliest possible moment. My Government is also greatly disturbed over reports of the unwillingness of certain Egyptian police officers to intervene promptly and effectively in protecting Mr. and Mrs. Haas and of their unwarranted and inexplicable efforts to prevent Mrs. Haas from communicating immediately with the American Embassy. In view of the responsibility of the Egyptian Government under international law for the protection of the lives and property of foreigners in Egypt, my Government trusts that the perpetrators of the crime have already been apprehended and that they will be promptly punished in a manner commensurate with the seriousness of the crime. It also urges that an investigation be made of the reported dereliction of members of the police and that appropriate action be taken in their regard.

Credit Extended to Iran for Purchase of War Surplus

[Released to the press July 29]

An agreement under which the United States extended a credit to the Iranian Government for the purchase of 10,000,000 dollars' worth of surplus military equipment and a credit not to exceed 16,000,000 dollars to cover the cost of repairing, packing and shipping this equipment to Iran was announced on July 29 by Fred W. Ramsey, Foreign

Liquidation Commissioner, for the United States, and by Mr. Noury-Esfandiary, Minister and Chargé d'Affaires of Iran. The agreement replaces a previous agreement dated June 20, 1947,¹ which offered the Government of Iran a 25,000,000 dollar surplus-property credit.

The agreement provides that the American Government will be repaid according to customary FLC credit terms at an interest rate of 2½ percent per annum, extending over 12 years.

Termination of Brazilian Trade Agreement

The President on July 31, 1948, issued a proclamation² making inoperative as of that date the 1935 trade agreement between the United States and Brazil except for the provisions of article XIV thereof relating to termination upon six months' notice. The 1935 agreement will remain inoperative, with the exception noted, for such time as the United States and Brazil are both contracting parties to the General Agreement on Tariffs and Trade, which was entered into by the United States last October 30 at Geneva with 22 other countries.

The proclamation gives effect to an agreement concluded on this subject by the United States and Brazilian Governments through an exchange of notes,³ effected June 30, 1948, between the American Chargé d'Affaires ad interim at Rio de Janeiro and the Brazilian Minister of Foreign Affairs. The notes were exchanged following the signature by Brazil on June 30, 1948, of the protocol of provisional application of the general agreement. Pursuant to the provisions of the protocol, Brazil became a contracting party to the general agreement on the expiration of 30 days from date of signature of the protocol.

Military-Mission Agreement with Brazil Signed

[Released to the press July 29]

Secretary of State George C. Marshall and Mauricio Nabuco, Ambassador Extraordinary and Plenipotentiary of Brazil to the United States of America, on July 29 signed an agreement providing for the detail of officers and enlisted men of the United States Army, Navy, and Air Force as an advisory mission to serve in Brazil. The purpose of the mission is to advise the Brazilian Government on the establishment and operation

¹ BULLETIN of July 6, 1947, p. 47.² Proclamation 2802 (13 Fed. Reg. 4447).³ See Department of State press release 621 of Aug. 2, 1948.

THE RECORD OF THE WEEK

of a school, similar to the U.S. National War College in Washington, for instruction of senior officers of the Brazilian Army, Navy, and Air Force in combined operations. *

The agreement is to continue in force for four years from the date of signature but may be extended beyond that period at the request of the Government of Brazil.

The provisions of the agreement are similar to those contained in numerous other agreements between the United States and certain other American republics providing for the detail of officers and enlisted men of the United States Army, Navy, Air Force, or Marine Corps to advise the armed forces of those countries. The provisions relate to the duties, rank, and precedence of the personnel of the mission, the travel accommodations to be provided for the members of the mission and their families, and other related matters.

Reconnaissance of Proposed Atrato-Truandó Canal Route

[Released to the press August 3]

The Governments of Colombia and the United States have agreed to conduct a preliminary reconnaissance by air, land, and river of the proposed Atrato-Truandó interoceanic canal route through Colombia for the purpose of obtaining preliminary estimates of costs in order to permit a comparison between this and the other possible canal routes.

The reconnaissance will be carried out by a mixed commission of Colombian and American engineers. The actual field study will be made by two groups, one of which will proceed from Humboldt Bay on the Pacific coast while the other will enter the Atrato River Valley from the Caribbean coast.

It is expected that the reconnaissance will be undertaken within two months and that it will be completed in from five to six weeks.

Cultural Leaders Awarded Grants-in-Aid

Brazil

Dr. Ayrton Gonçalves da Silva, aquatic biologist employed by the Department of Animal Production, State of São Paulo, Brazil, has arrived in Washington to confer with Fish and Wildlife Service officials and to visit laboratories, universities, and museums in various parts of the country. His visit, which will last three months, has been arranged under the travel-grant program of the Department of State in cooperation with the Fish and Wildlife Service.

Ecuador

Antonio García, Director of Agriculture of the Ministry of Economy of Ecuador, has received a grant-in-aid from the Department of State to enable him to spend three months in this country studying soil conservation, forestry reserves, and the cultivation of various grains.

Haiti

Dr. Antoni Leveque, chief surgeon of the General Hospital, Port-au-Prince, Haiti, has arrived in Washington for a three months' visit in the United States under the travel-grant program of the Department of State. Primarily interested in observing U.S. techniques in general surgery, Leveque will also study orthopedics and hospital administration. The United States Public Health Service is cooperating in arranging his program, which has been tentatively planned to include visits to the Mayo Clinic in Rochester, the Lahey Clinic in Boston, and the Surgical Department of the University of Michigan.

Peru

Luis F. Malaga, head of the reference department, National Library of Peru, who has received a grant-in-aid from the Department of State to enable him to serve as consultant at the Yale University Library, recently arrived in Washington en route to New Haven to begin his assignment. In addition to his work at the library, which will be in connection with the cataloging of Mexican and Peruvian manuscripts, he will also teach a class in Spanish at the University.

United States

Dr. Marcus Gordon Brown of the Georgia School of Technology at Atlanta, will leave for Brazil on August 13, to spend five months lecturing at the cultural institutes in various cities of that country under the travel-grant program of the Department of State.

Belgium Extended Time for Renewing Trade-Mark Registration

The extension until December 31, 1948, of the time for renewing trade-mark registrations with respect to Belgium was granted by the Presidential proclamation 2794 (13 Fed. Reg. 3757) on July 2, 1948.

THE DEPARTMENT

Appointment of Officers

Ernest F. McCluney as Deputy to Special Assistant Research and Intelligence, Office of Special Assistant Research and Intelligence, effective July 21, 1948.
 Woodbury Willoughby as Chief of the Division of Commercial Policy, Office of International Trade Policy, effective June 13, 1948.

Designation of Norman Armour as Assistant Secretary of State

On July 31 the White House announced the designation of Norman Armour as Assistant Secretary of State for political affairs, effective July 15, 1948. For the texts of Mr. Armour's letter to the President and the President's reply, see White House press release of July 31, 1948.

William D. Wright, Jr., Named Philippine Rehabilitation Coordinator

The State Department announced on July 22 the appointment of a Coordinator for the Philippine Rehabilitation Program, in the Office of the Foreign Service. Rear Admiral William D. Wright, Jr., U.S.N. (ret.), has been named to the position.

The Coordinator will expedite and channel for action within the Department all matters pertaining to the Philippine rehabilitation program. He will make decisions on behalf of the Department on all matters of administration common to all agencies participating in the program. In addition, the Coordinator will serve as chairman of formal interdepartmental and inter-agency conferences regarding the Philippine rehabilitation program.

THE FOREIGN SERVICE

Diplomatic Offices

[Released to the press August 4]

The American Consulate General at Colombo was raised to the rank of Embassy on August 3, 1948, when Ambassador Felix Cole presented his credentials to the Governor General of Ceylon. The agreement of the Governments of the United States and Ceylon to exchange Ambassadors was announced on April 26, 1948.¹

STATEMENT of May 23, 1948, p. 687.

August 15, 1948

Exchange of Information Among Americans Concerned With European Labor Problems

[Released to the press August 2]

Officers of the Foreign Service assigned as labor attachés to American diplomatic missions in Europe will meet in Paris August 3-5 to discuss European labor problems and their relation to the European Recovery Program. Meeting with them will be labor advisers of the Economic Cooperation Administration, representatives of American and European trade-unions, and officers of the U. S. Department of Labor.

The meeting is to be opened by Jefferson Caffery, American Ambassador to France. Philip M. Kaiser, Director of the Office of International Labor Affairs, Department of Labor, and Daniel Horowitz, Assistant Chief of the Division of International Labor, Social, and Health Affairs, Department of State, will serve as co-chairmen of the sessions.

Clinton S. Golden and Bert M. Jewell, labor advisers in Eca, already in Europe for other international labor meetings, will participate in the Paris meeting. Eca officials in the Office of the U.S. Special Representative in Europe, who will attend and participate, are Boris Shishkin, chief of the Labor Branch, and Harry Martin, labor information specialist and labor adviser.

Principal objective of the meeting is to afford the opportunity for an exchange of information among the Americans concerned with European labor problems. This objective is stressed in a message addressed to the meeting by Christian M. Ravndal, Director General of the Foreign Service. In his message, Mr. Ravndal notes the influence of labor on the economic, social, and political policies being formed throughout the world today and congratulates the labor attachés for their work in reporting on and interpreting this influence. He stresses the importance of cooperation between Americans working with labor abroad, saying:

"The Foreign Service is cooperating fully with the Economic Cooperation Administration in making its entire resources available to assist in the accomplishment of the recovery program. The labor attachés particularly have a vital and significant contribution to make. They are intimately acquainted with trade-union leaders and their activities, with the personnel of the labor ministries, and with labor conditions in their respective countries. I am sure that the active and continuing cooperation of the labor attachés and the Eca labor advisers will be mutually beneficial. It will assist the labor advisers in carrying out their difficult tasks and it will enable the labor attachés to fulfill more adequately their continuing functions in the Foreign Service."

Volume 8 of "Treaties and Other International Acts" Released

[Released to the press July 31]

Volume 8 of *Treaties and Other International Acts of the United States of America*, published by the Department of State, was released July 31. The preceding seven volumes of this edition, which cover the period from 1776 to 1858 and which were published between 1931 and 1942, were compiled and edited by Dr. Hunter Miller, who retired from the Government service in 1944. The present volume, containing 40 international agreements, continues the chronologically arranged series from September 1858 to July 1863. Prior to his retirement Mr. Miller had prepared material which comprises about three fourths of this volume, and subsequently he read the manuscript for the remainder of the book and examined proof of the whole. His name appears on the title page.

As in previous volumes, the texts of the treaties and agreements are literal copies of the original documents; carefully collated, they are identical therewith not only in wording but also in such details as punctuation, capitalization, and spelling; and accordingly they include any peculiarities and even any errors that are in the sources. Each treaty or agreement is printed in the language or languages in which the original is written, thus permitting comparison of different versions where the meaning of any portion of a text may be in doubt. Treaty versions in oriental languages—as in the case of the two treaties of November 8, 1858, with China—are reproduced in facsimile. Where an original agreement, or any part of it, is written in a foreign language only, an authoritative translation is printed with it. Following each document text are comprehensive editorial notes which deal with textual and procedural matters, with the diplomatic and other background, with the negotiations leading to signature, and with the subsequent history of the agreement. Of the 40 documents in the present volume, 22 are treaties in the constitutional sense of having received the advice and consent of the Senate, and 18 are Executive agreements. Of the latter, none has heretofore been included in treaty collections of the United States, and more than half of them have not previously appeared in print.

Although there are no really great treaties within the period of volume 8, there are several of more than ordinary interest. One is the stopgap arrangement of 1859-60 with Great Britain which provided for joint military occupation of the island of San Juan until the question of the northwest water boundary could be definitively settled. Despite its informal and tentative character, this

arrangement eased a situation which for a time had become so grave that it threatened to result in armed conflict; and its provisions continued in effect until the boundary question was at last posed of in 1872. Another notable document is the treaty of July 1, 1863, with Great Britain, for the settlement of claims of Hudson's Bay Company and Puget's Sound Agricultural Company. Discussions and negotiations regarding these claims continued from 1848 until signature of this treaty, and the award of the Commissioners thereon totaling \$650,000, was not made until 1869. The editorial notes, besides tracing the negotiations, include a critical re-examination of the extent and value of the properties of the two companies, and of the legal rights of Hudson's Bay Company under the Oregon Treaty. A third document worth mention is the treaty of April 7, 1862, with Great Britain, for the suppression of the transatlantic traffic in African slaves. The Lincoln administration, reversing the previous policy of the United States, took a firm stand against that traffic; and this new policy, which was evidenced by signature of this treaty and by enforcement of national laws, was one of the immediate causes of the downfall of that traffic. In the notes to all three of the agreements, abundant use was made of British Foreign Office records; and in the case of the two, records of the Provincial Archives of British Columbia were a further important source.

The notes to the treaties of February 4, 1860, with Paraguay contain an account of incidents and events that led to the sending of a powerful naval expedition to Paraguay in that year, at an estimated cost of three million dollars to support the diplomacy of the American Commissioner. New light is thrown on the final negotiations at Asunción by an excerpt, printed in translation, from the diary of an Argentine statesman who participated.

Other features of the volume are the inclusion in the editorial notes, of the English version of four unperfected treaties of the United States which are not elsewhere to be found in print; a map of the Oregon country in two parts and in color; a facsimile reproduction of a contemporary map of San Juan Island, 1860; and a 25-page bibliography of the sources cited throughout the volume.

Volume 8 (xxxvii, 1,065 pages) may be purchased from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C., for \$4.50.

PUBLICATIONS

Department of State

Available by the Superintendent of Documents, Government Printing Office, Washington 25, D. C. Address requests to the Superintendent of Documents, except in the case of free publications, which may be obtained from the Department of State.

International Meeting on Marine Radio Aids to Navigation. New York City and New London, Connecticut, April 29, 1947: Proceedings and Related Documents.

International Organization and Conference Series I, 2. 1960. xi, 685 pp. Limited distribution.

The essential features of the discussions and demonstrations; a listing of the recommendations of the meeting; and unabridged texts of the technical papers presented. Reproduced by photo-mechanical means.

Agreement Between the United States and Italy; Reciprocal Application of Article I of the Convention of Mar. 23, 1868—Effectuated by exchange of notes signed at Rome Apr. 16 and 17, 1946; entered into force Apr. 7, 1946; effective May 1, 1946.

Agreement Between the United States and Italy; Reciprocal Application of Article I of the Convention of Mar. 23, 1868—Effectuated by exchange of notes signed at Rome Apr. 16 and 17, 1946; entered into force Apr. 7, 1946; effective May 1, 1946.

Agreement Between the United States and Italy; Reciprocal Application of Article I of the Convention of Mar. 23, 1868—Effectuated by exchange of notes signed at Rome Apr. 16 and 17, 1946; entered into force Apr. 7, 1946; effective May 1, 1946.

Protocol Between the United States and Other Governments; Extending the Protocol of Nov. 26, 1945—Open for signature at Washington Dec. 2, 1946; ratified by the President of the United States July 1, 1947; proclaimed by the President Feb. 16, 1948; entered into force Feb. 5, 1948.

Transfer of United States Naval Vessels and Equipment to the Greek Government. Treaties and Other International Acts Series 1709. Pub. 3084. 4 pp. 5¢.

Agreement Between the United States and Greece—Effectuated by exchange of notes signed at Washington Dec. 1 and 3, 1947; entered into force Dec. 3, 1947.

Temporary Migration of Mexican Agricultural Workers. Treaties and Other International Acts Series 1710. Pub. 3085. 8 pp. 5¢.

Agreement Between the United States and Mexico; Supplementing the Agreement of Aug. 4, 1942, as amended Apr. 26, 1943—Effectuated by exchange of notes signed at Mexico City Mar. 25 and Apr. 2, 1947; entered into force Apr. 2, 1947.

Local Trade: Quantitative Import Restrictions. Treaties and Other International Acts Series 1711. Pub. 3086. 6 pp. 5¢.

Agreement Between the United States and Sweden; Modifying Temporarily the Agreement of May 25, 1945—Effectuated by exchange of *aide-memoire* dated at Washington June 24, 1947; entered into force June 24, 1947; and exchange of letters.

Local Trade: Quantitative Import Restrictions and Payment of Payments. Treaties and Other International Acts Series 1712. Pub. 3099. 6 pp. 5¢.

Agreement Between the United States and Sweden; Modifying the Agreement of June 24, 1947—Effectuated by exchange of memorandums dated at Washington June 11, 1948; entered into force Feb. 11, 1948; and exchange of letters.

15, 1948

THE DEPARTMENT

Air Service: Facilities at Gardermoen Airfield in Norway. Treaties and Other International Acts Series 1737. Pub. 3163. 3 pp. 5¢.

Agreement Between the United States and Norway—Signed at Oslo Nov. 12, 1946; entered into force Nov. 12, 1946.

Shellfish: Sanitary Certification of Shippers. Treaties and Other International Acts Series 1747. Pub. 3189. 3 pp. 5¢.

Agreement Between the United States and Canada—Effectuated by exchange of notes signed at Washington Mar. 4 and Apr. 30, 1948; entered into force Apr. 30, 1948.

Reconversion of Industry: Cooperation in Transition from War to Peace. Treaties and Other International Acts Series 1752. Pub. 3194. 4 pp. 5¢.

Agreement Between the United States and Canada; Continuing the Principles of the Hyde Park Declaration of Apr. 20, 1941—Effectuated by exchange of notes signed at Ottawa May 7 and 15, 1945; entered into force May 15, 1945.

U. N. Documents—Continued from page 195

Security Council

Official Records

Third Year

No. 73, 303rd Meeting, 24 May 1948. 41 pp. printed. 40¢.

No. 76, 307th and 308th Meetings, 28 May 1948. 46 pp. printed. 50¢.

No. 78, 311th Meeting, 2 June 1948. 24 pp. printed. 25¢.

Economic and Social Council

Report of the Third Session of the Commission on Human Rights, Lake Success, 24 May to 18 June 1948. E/800, June 28, 1948. 44 pp. mimeo.

Implementation of Resolution 58 (1) of the General Assembly on the Advisory Social Welfare Services Programme. E/828, June 22, 1948. 27 pp. mimeo.

Implementation by the International Civil Aviation Organization of General Assembly Resolutions 39 (I) and 50 (I) Concerning Franco Spain, Together With a Letter Dated 8 June 1948 From the President of the ICAO Council to the Secretary-General. E/831, June 25, 1948. 3 pp. mimeo.

Note by the President of the Council on the Report of the Economic and Social Council to the Third Regular Session of the General Assembly. E/832, June 25, 1948. 5 pp. mimeo.

Report on Inter-Secretariat Co-operation between the International Labour Organization and the Food and Agriculture Organization of the United Nations in Respect of Work Programmes. E/834, June 28, 1948. 14 pp. mimeo.

Draft Rules for the Calling of International Conferences. E/836, June 29, 1948. 5 pp. mimeo.

Interim Report to the Economic and Social Council on Teaching of the Purposes and Principles, the Structure and the Activities of the United Nations in the Schools of Member States Under Resolution 137 (II) of the General Assembly of the United Nations. Part I prepared by the Secretary-General of the United Nations. Part II prepared by the United Nations Educational, Scientific and Cultural Organization. E/837, June 30, 1948. 86 pp. mimeo.

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The Department of State

Bulletin

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Vol. XIX, No. 477

August 22, 1948

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CONFERENCE TO CONSIDER FREE NAVIGATION OF THE DANUBE

Discussion of U.S. and Soviet Draft Conventions

STATEMENTS BY AMBASSADOR CAVENDISH W. CANNON¹

Chairman of the U.S. Delegation

Points of Difference²

In closing the debate on the Soviet Union and United States drafts yesterday, the Delegate from the Soviet Union mentioned several points of difference which are important to the very substance of our discussion.

First as regards the approach of this conference to the whole problem:

Mr. Vyshinsky said, "I would say in general that what is acceptable in the United States draft cannot be found in the Soviet draft and what is not in the Soviet draft cannot be accepted. It cannot be accepted either by the Soviet Delegation or by the six riparian states."

The President, if that is the firm position it would mean that it is almost useless for the conference to go through the motions of committee discussion. I feel sure Mr. Vyshinsky did not mean just that. I am indeed ready to go into committee and I truly hope that all of us will in fact be willing to hear each other and seek some area of agreement.

The principal points of the United States proposal to which serious objection has been raised are these: (1) The language of article 1; (2) The terms to be given to the commission; (3) Relationship with the United Nations; (4) Membership of the commission.

Let me say just a few words on each of these points.

Mr. Vyshinsky says that our article 1 "defeats the principles" accepted by the Four Powers in the peace treaties with Bulgaria, Hungary, Rumania. He says that it "deviates" from the formula set forth in the United States draft preamble. Comparing the two texts, just what is the significant difference? The preamble says: "Navigation on the Danube shall be free and open to all nations, vessels of commerce and goods of all states on a footing of equality in regards to tolls and navigation charges and conditions for merchant shipping."

Article 1 says: "International navigation on the Danube River system shall be free and open to the vessels of commerce, goods and persons of all states on a footing of entire equality without discrimination."

Comparing the two texts, what is the significant difference? It is the phrase in our article 1, "without discrimination."

I shall not dwell in implications.

But there is, of course, no real discrepancy. Mr. Vyshinsky has had a lot of experience in drafting agreements. He knows that a preamble sets the background and outline to be developed in subsequent articles. But if this language "defeats the principles" of the earlier formula, then the earlier language was an empty formula. To the United States it was not an empty formula at the Council of Foreign Ministers, nor in the peace treaties. We meant it then and we mean it now. To us the "freedom of navigation" means more than allowing a vessel to move through the water. It means access to port facilities and those other things set out in our draft articles which in fact are merely an elaboration of the term "conditions for merchant shipping" which is in the preamble to which no objection has been raised.

The provisions of article 1 of the Soviet draft were agreed upon almost two years ago. The peace treaties have been in effect for almost a year. Still the Danube River has not resumed its normal traffic. Though the United States has persistently tried for the past three years to open up the river, there is no movement across the United States-Soviet occupation line in Austria.

This relative stagnation on the river is clear evidence that the Soviet article is not enough. Practical provisions in the convention are needed if a revival of commerce is to be encouraged.

¹ Mr. Cannon is U.S. Ambassador to the Federal People's Republic of Yugoslavia.

² Made on Aug. 7, 1948, before the Conference and released to the press in Washington on Aug. 9, 1948. Printed from telegraphic text.

Article 17 of the United States draft was criticized on the ground that it is contrary to the principle of sovereignty and equal rights of states. In its judgment rendered in August 1923 in the case of the *S. S. Wimbledon* regarding the refusal to permit a foreign vessel to pass through the Kiel Canal, the Permanent Court of International Justice said:

"The Court declines to see in the conclusion of any treaty by which a state undertakes to perform or refrain from performing a particular act an abandonment of its sovereignty. No doubt any convention creating an obligation of this kind places a restriction upon the exercise of the sovereign rights of the state, in the sense that it required them to be exercised in a certain way. But the right of entering into international engagements is an attribute of state sovereignty."

In so far as the rights of riparian states are concerned, the provisions of articles 17 and 18 of the Soviet draft establish special river commissions on the maritime Danube and at the Iron Gates which are much more subject to abuse than article 17 of the United States draft.

Under articles 17 and 18 of the Soviet draft, two states would have complete authority to control the Danube gateway to and from the sea and two other states, complete authority at the important Iron Gates sector of the river. Such an arrangement can hardly be compatible with the rights of the other riparian states on the fluvial Danube.

While the United States draft has been represented as a grave threat to the sovereign rights of the riparian states, the argument has been presented that the joint shipping companies organized in Hungary, Rumania, and Yugoslavia are in no sense a derogation of the sovereignty of these states. It has been denied that Soviet participation in joint companies constitutes Soviet control. It has been asserted that the sovereignty of these countries is in no way infringed because the chairmen of the companies are always nationals of the country concerned. The important fact is not the nationality of the chairman, but the fact that in Hungary and Rumania, in any event, the general managers of the companies, in whom resides the effective control, are Soviet citizens.

In our discussion in the committee, I shall document in detail the privileged position of the joint companies.

I am surprised that the Soviet Delegate, with his wide experience in United Nations affairs would interpret article 25 of the United States draft as giving the Economic and Social Council full responsibility for the implementation of the principle of freedom of navigation on the Danube. I think he would not seriously argue that association with the United Nations would deprive the

riparians of their rights and prerogatives as sovereign states.

I am certain that he understands the procedure and powers of the Economic and Social Council well enough to know that its activities are limited to discussion and recommendation.

The Soviet Delegate has also objected to article 42 providing for the settlement of disputes through the United Nations if not first resolved by the commission. The United Nations was created for the express purpose of providing machinery for the peaceful settlement of disputes.

I agree with the Soviet Delegate that article 42 of the United States draft concerning membership on the commission raised one of the major issues before this conference. I feel that some additional comment is required concerning the United States position on membership. My previous statement set forth the basis upon which the United States rests its claim for participation. Such claim was not and is not related to the prewar statistical position of United States shipping on the river, but upon the broader aspects of our interest in European economic development and our responsibilities under present and contemplated future treaties bringing the war to a close.

Let us not forget the direct interest of the United States which occupies a riparian position on the Danube. The German sector of the Danube and the German Danube fleet are inseparably connected with the problems of this river. A Danube convention cannot ignore this important sector of the river. Until a sovereign German Government is established and is granted full participation in the Danube regime, the United States will be responsible for representing German riparian interests.

Let us also be realistic about Austria. I assume that other riparian states are deeply interested in the development of the entire Danube as an artery of commerce and for this Austria's central position, trading potentialities, and the great river port of Vienna are all important. If the views of this important riparian state are not taken into consideration in drafting the convention and Austria does not become a party to it and does not immediately become a member of the commission, the river will remain cut in two. The new regime would not be able to function as envisaged in either the Soviet draft or the United States draft. The declaration of the Council of Foreign Ministers, which the Soviet Delegate has cited, does not bar Austria from such participation.

We also believe that non-riparian states should be represented on the commission. I gave the reasons for this view in my statement on Wednesday.³ I wish now only to re-emphasize the importance which we attach to it.

Since we now turn to a resolution referring the texts to a committee, I felt it necessary to restate

³ Aug. 4; printed in BULLETIN of Aug. 15, 1948, p. 197.

these points of the American draft before closing the general discussion.

Amendment to Preamble of Soviet Draft^{*}

Mr. Chairman, in submitting the American proposal for amendments to the preamble, we decided to adopt the greater part of the Soviet text, although there were several passages we would have expressed differently. Therefore, we could endorse the French proposal just defeated by the usual vote. The American amendment is a relatively simple one. There is an amendment to the third paragraph which would then read:

"U. S. S. R., United Kingdom and Northern Ireland, United States, France, Bulgaria, Czechoslovakia, Hungary, Rumania, Ukrainian S. S. R. and Yugoslavia;

"Whereas, the Council of Foreign Ministers met on 12th December 1946, decided to call a conference to work out a new convention regarding the regime of navigation on the Danube, to be composed of representative states referred to above; and

"Desirous of providing free navigation on the Danube in accordance with the interests of all nations and with due regard to the sovereign rights of the Danube states and in order to strengthen the economic and cultural relations of the Danube states between themselves and other nations, and recognizing that conditions of economic well-being and peaceful relations among nations should be promoted on the Danube in accordance with the Charter of the United Nations;

"Have resolved to conclude a convention regarding the regime of navigation on the Danube and for that purpose have appointed the undersigned plenipotentiaries who, after the presentation of full powers, found in good and due form, have agreed to the following."

The purpose of this change is that the paragraph give explicit recognition to the principle that the problems of the Danube are intimately connected with broader world problems. The Danube area will be more prosperous and secure if there is full recognition of the economic ties between Danubian and other nations, both to East and West. Peoples along this great waterway are well aware of that fact. We are convinced that to single out the interests of the riparian states as the sole concern of this convention and separate them from the interests of other nations is a fundamental mistake. It would be harmful in the long run to both the riparian states and nonriparian nations. The first change suggested in the American amendment is a recognition that developments along the river are of concern to nonriparian states. As mentioned in my earlier statements, the United States feels that a number of nonriparian states for a variety of reasons have clear interests in

conditions along the Danube and in the maintenance of freedom of navigation. We also think that recognition of this interest by the convention is of direct benefit to the welfare of the peoples of the whole Danube area and would not interfere with or weaken sovereignty of the Danube states.

Within this region are hundreds of idle ships today. We should like to see active trade, that could be moving today, resumed as soon as possible, and it is the purpose of this convention to aid in bringing those conditions about. We know that railway systems suffered greatly during the war, that roadbeds are in bad condition. It is hard to find maintenance materials to keep them going. There is great distress in many parts of Europe, even in this region, and here is a great inland waterway not contributing its part.

A statement a few minutes ago was made by the Rumanian Delegation, that Rumanian ships are "up the river". I don't know what "up the river" may mean. If it means ships are in that part of the Danube under United States control, I wish to state here and now that there are no Rumanian ships in that part of the river under American control. The Rumanian Government put in a claim on 18 ships. Eighteen ships were released in the area of the Danube over which Americans have control. There are now none left there. If it is a question of ships "up the river" they must be in some other zone where Americans have no control, where so far as the Danube is concerned the United States has little contact or say.

The second paragraph of the American amendment must be clear to all. The United States has made known here that it supports effective relationship between the new Danube convention and the United Nations. Problems that will concern the new commission will be of importance to all Europe and to the world. If it is to be the intent of the new commission to recognize these broader implications of the problem, some recognition of the United Nations role appears essential. We all know that the United Nations itself is conscious of the problems of this area and would like to contribute in a solution of these problems. This was shown by the request of the Secretary-General that the United Nations be allowed to send an observer to the conference. No amount of misinterpretation can cloud the basic fact that the peoples and nations of this area have nothing to lose, and much to gain, by a recognition of the principles of the Charter of the United Nations and by a working agreement between the nations of this area, through the commission to be established, and the United Nations. This clause in the preamble asserts the general recognition on the part of the

^{*} Made before the General Committee of the Conference on Aug. 10, 1948, and released to the press in Washington on Aug. 11, 1948. Printed from telegraphic text.

signatories that the principle of the United Nations Charter is applicable on the Danube. None of us would deny that. All of us, on many occasions, have subscribed to those principles as basic to the conduct of peaceful relations between our respective nations.

Amendment to Article I of Soviet Draft⁵

Article I of the Soviet draft provides: "Navigation on the Danube shall be free and open to the nationals, vessels of commerce and goods of all states on a footing of equality in regards to port and navigation charges and conditions for merchant shipping. The foregoing shall not apply to traffic between ports of the same state."

The proposed United States amendment would add to this language the following: "Equality in regards to port and navigation charges and conditions for merchant shipping shall be considered as excluding discrimination on the basis of flag or ownership of vessel or on any other basis whatsoever."

The proposed United States amendment is designed to clarify and point up the basic issue before this conference—is shipping on the Danube to be permitted on a basis of equality between various flags, or is shipping to be permitted only on the basis of special agreements, granting privileged companies exclusive or preferential treatment? The issue is clear—discriminatory or non-discriminatory treatment. If this conference supports the principle of non-discrimination it can hardly reject the United States amendment. Rejection of our amendment will be notice to the world that it is not the intention of this conference to see that the Danube is really open to vessels of all nations.

Article I as proposed by the Soviet Delegation does not contain the necessary safeguards to remedy or eliminate present impediments to more effective use of the river which my Government deeply deplores. Impediments surely are also of concern to other states sincerely interested in re-establishing prosperous Danube shipping conditions.

There has been much talk of imperialism here. The proposed additional wording introduces the necessary safeguards to avert imperialistic designs, from any direction, and supports the sovereignty of the Danubian states. The United States proposed this additional wording not only for sake of principle and objective, but also because the history of the past few years has clearly shown discrimination rampant, with economic penetra-

⁵ Made before the General Committee of the Conference on Aug. 10, 1948, and released to the press in Washington on Aug. 12, 1948. Printed from telegraphic text.

tion undertaken to the detriment of the Danubian countries concerned and to the detriment of progress to trade recovery in general.

I should like to clarify some basic points which the Soviet Delegate made in a statement to reply to my statements concerning Danube economic participation. He denied Soviet participation in joint companies and that the formation of Soviet companies amounts to Soviet control. He claims there is equal participation and no infringement of the sovereignty of the countries involved since the chairman of these companies is always a national of the state concerned. That is not much of a safeguard. The significant fact about these companies is that they are not operated by the chairmen but by directors general who are not nationals of the countries concerned. Directors general of the joint companies are Soviet citizens.

The Soviet Delegate further quotes article 1 of the Yugoslav treaty (commercial treaty with the U.S.S.R.) to prove that these companies obey the laws and rules of a given country and have the same rights as Yugoslav companies. He failed to mention that in most important respects Soviet enterprises and joint companies are granted the same conditions which are, or will be, allowed to the most privileged state, municipal, or private enterprise. I refer to annex 1 of the Soviet-Hungarian agreement of December 9, 1947, which grants privileges on supply materials and in the obtaining of foreign exchange. I refer to annex 2 of the same agreement wherein the U.S.S.R. acknowledges certain decrees issued by the Hungarian Government exempting joint Hungarian-Soviet companies from payment of certain taxes, fees, and duties.

The same and other privileges are granted to joint companies. I refer to the provision in the Soviet-Rumanian agreement by which ships of Soviet-Rumanian transport passing Sulina Channel pay tariff one third less than charged any other company. Another example of special privilege is the contract between the Hungarian Government and the joint Meszhart Shipping Company which for 30 years leases Port Budapest including practically all harbor equipment, including docks, loading stations, factories, dwellings, auxiliary and other buildings, warehouses, elevators, mechanical transshipment facilities, railways and other communication lines in the port area. How can you speak of freedom of navigation on the Hungarian Danube when Port Budapest is under the monopoly control of the Meszhart companies?

Let us turn back now to the language of the United States amendment. You will note that the United States Delegation has not used the language proposed in the original United States draft. While we still consider the language in article 1 of

draft submitted last week as preferable, there is a certain amount of confusing talk regarding its relation to articles of the peace treaties. It has several times been declared that the language first proposed by the United States Delegation was different from the treaty language. We therefore proposed this amendment which is an explanatory addition to treaty language.

Speaking on the preamble this morning, Mr. Molotov said, "they (France, U.S., and U.K.) referred to this formula two years ago and nothing has changed since". This is precisely our point—our objective was to free navigation. Now after two years it is quite true that "nothing has changed" since, although the treaties have been in effect nearly a year.

The Soviet Delegate has on numerous occasions been in the position that any suggested change or modification of words adopted by the Council of Foreign Ministers for the peace treaties is an attempt to distort the true meaning of the Council of Foreign Ministers decision. I should like to ask the Soviet Delegate to give this conference a definition of what he understands by the words "conditions for merchant shipping." The definition I have come across in the record is a statement of Mr. Molotov, of November 28, 1946. This proposal was introduced by Mr. Molotov who said (I am reading from the United States draft in English), "I have a proposal to make.

Mr. Byrnes said he was interested in paragraph 1 of the proposals concerning the Danube. I have a proposal in relation to it. In the first place it takes into account the June 29 amendment proposed by M. Bidault and includes the Soviet amendments. Navigation on the Danube shall be free and open on terms of entire equality inasmuch as this concerns port navigation charges and conditions of commercial shipping within the limits of ordinary commercial terms."

The word "entire" has appeared at numerous times and I am not quite clear at what time it dropped out.

Later in the same debate, the French Representative asked: "What does the Soviet Delegate understand to be the meaning of 'within the limits of usual commercial relations'?"

Mr. Molotov replied: "There are certain commercial arrangements which establish tariff charges, et cetera, when some are given favored treatment in one respect and not in another, and various details of that sort. Some countries are more interested in one condition, some in another, and they combine aspects most advantageous to them."

I must frankly say I do not know what it means. I hope before this committee votes on this article the Soviet Delegate will explain it for the benefit of states which are being asked to accept the Soviet draft.

STATEMENT BY WALTER A. RADIUS^{*}

Deputy Chairman of the U.S. Delegation

Amendment to Article V of Soviet Draft

Article V of the Soviet draft provides: "There shall be established a Danube Commission, hereinafter called The Commission, to be composed of one representative of each Danube state."

The change proposed in article V of the Soviet draft by the United States amendment is obvious in the text. In the first paragraph we list the members of the Danube Commission in place of the general term "Danube states" which appears in the Soviet draft. This list includes the riparian states and the Four Powers which, as members of the Council of Foreign Ministers, have special responsibility, recognized under the U.N. Charter, for making peace settlements and establishing the foundation for peaceful internal order in Europe. All states, riparian and nonriparian, have a legitimate interest in freedom of navigation on the Danube. In the case of the riparian states this interest is obvious. It is recognized in the draft convention submitted by the Soviet Delegation

and in the draft convention submitted by the American Delegation. I will not dwell further on it except to call attention to the inclusion of Austria. The Soviet draft proposes that Austria become a member of the commission after the question of the treaty with Austria is settled. We believe that Austria should become a party to the convention and a member of the commission as soon as the convention enters into force and the commission begins to function.

Austria is one of the most important of the riparian states bordering shores for 275 miles. From the standpoint of engineering projects and control of development of the river, Austria's geographical position is of key importance. From the

^{*} Made on Aug. 12, 1948, before the Conference and released to the press in Washington on Aug. 13, 1948. Printed from telegraphic text. Mr. Radius is Director, Office of Transport and Communications, Department of State.

DANUBIAN CONFERENCE

commercial point, Austria's shipping, trade, and the great river port of Vienna must be taken into account. The system of internal regulation on the whole river is inconceivable without Austrian participation, from the start, in the internal commission charged with regulation.

The Soviet Delegation cited on several occasions the decision of the Council of Foreign Ministers, December 6, 1946, as follows:

"The Governments of the United States, United Kingdom, U.S.S.R., and France agree to call, within six months of the coming into force of the peace treaties with Rumania, Bulgaria and Hungary, a conference to work out a new convention regarding the regime of navigation on the Danube to be composed of representatives of the Danubian states: U.S.S.R., Ukrainian S.S.R., Bulgaria, Rumania, Yugoslavia, Czechoslovakia, Hungary, and representatives of the following states, members of the Council of Foreign Ministers: United States, United Kingdom, France.

"Subsequent changes in this convention, should they become necessary, shall also be made by the conference composed as indicated above.

"Austria shall take part in the above-mentioned conferences after the question of a treaty with Austria has been settled."

The United States does not consider that decision as barring Austria from participation in the Danube Commission before the treaty between Austria and the four occupying powers is concluded. Austria has been restored to independence in accordance with the Moscow Declaration of 1943. It has its own government, whose mandate is based on free popular election. This government maintains diplomatic relations with many nations. It may enter into international agreements (and has done so) with only this specific limitation—that such agreements may be disapproved by unanimous decision of the Allied Council in Vienna. I shall read from the Four Power Control Agreement concluded in Vienna June 28, 1946, by the United States, United Kingdom, Soviet Union, and France:

"Article VI, section A: All legislative measures, as defined by the Allied Council, and international agreements which the Austrian Government wishes to make except agreements with one of the four powers, shall, before they take effect or are published in the *State Gazette* be submitted by the Austrian Government to the Allied Council. In the case of constitutional laws, the written approval of the Allied Council is required, before any such law may be published and put into effect. In the case of all other legislative measures and international agreements it may be assumed that the Allied Council has given its approval if with-

in 31 days of the time of receipt by the Allied Council it has not informed the Austrian Government that it objects to a legislative measure or international agreement. Such legislative measure or international agreement may then be published and put into effect. The Austrian Government will inform the Allied Council of all international agreements entered into with one or more of the four powers."

I think I can say definitely that this provision is no obstacle to Austria's immediate adherence to the Danube convention and full participation in the proposed Danube Commission.

Now I turn to nonriparian representation. The amendment provides for inclusion of the United Kingdom, France, and the United States as members of the commission. Along with the U. S. S. R., these three states have, as mentioned, special responsibility for peace settlement in Europe in problems related to settlements, such as re-establishment of freedom of navigation on the Danube. As members of the Council of Foreign Ministers these Four Powers discussed at length the Danube question, introduced by the United States Delegation. The Paris conference, by a two-thirds majority, recommended to the Council of Foreign Ministers that they insert in the peace treaties with Rumania, Bulgaria, and Hungary provisions for freedom of navigation and that they convene a conference to work out a convention embodying that principle. The Council of Foreign Ministers did take action along those lines at the New York meeting in December 1946. It took decisions with which all are familiar.

It was the Four Powers of the Council of Foreign Ministers which, on United States initiative, took steps to have the conference convened at Belgrade to work out the new convention. In the entire procedure leading to the conference the interest of the three western powers in freedom of navigation on the Danube was generally recognized. Neither the Paris conference in 1946 or the Council of Foreign Ministers made any decision to the effect that the new Danube regime should be riparian states alone. The very fact that the four members of the Council of Foreign Ministers are present at this conference is a clear indication that no such result was intended.

In the United States statement on August 5 before the plenary session, Ambassador Cannon gave a number of reasons why the United States is directly interested in the maintenance of freedom of navigation on the Danube. Our interest in the progress of economic welfare in Europe is general. It is not limited to one region. American participation in the ECE is proof of our concern with programs both for immediate reconstruction and

(Continued on page 244)

THE UNITED NATIONS AND SPECIALIZED AGENCIES

U. S. Position on the Free Territory of Trieste

STATEMENT BY PHILIP C. JESSUP¹

Deputy U. S. Representative in the Security Council

As I informed the Council at its last session during which it considered the note of the Yugoslav Representative of July 28² concerning the administration of the British-United States zone of the Free Territory of Trieste, my Government considers the charges of the Yugoslav Government as being from beginning to end without any foundation whatsoever and having every appearance of being intended for the sole purpose of distracting attention from the flagrant maladministration of the zone of the Free Territory under administration by the Yugoslav Military Command. I have noticed on various occasions that certain members of the Security Council have no hesitation in being quite dogmatic in their assertions concerning the motivation which they allege inspires governments in taking certain courses of conduct. I do not pretend to any skill in reading the mind of a foreign government, but on the evidence available one may speculate that the motivation for the Yugoslav complaint is twofold: The first motive might be deduced from the lamentable but well-known design of Yugoslavia to separate the Free Territory of Trieste from its historic associations with Italy in violation of the desires of the population of the Free Territory and in order to incorporate the Territory in Yugoslavia. In the second place, the complaint appears to be another manifestation of what has become a familiar tactic. This tactic is to charge others with the misdeeds which one has oneself committed in the hope of distracting attention from one's own sins.

The two motives are clearly related and the hypothesis that they are the actual motives is confirmed by an examination of the way in which the Yugoslav Government has administered its zone and by its persistent refusal to disclose any information concerning its conduct in that zone. I hope you will all keep in mind that the government which made these accusations against us itself rules a zone in the Free Territory of Trieste behind an iron curtain of its own. The Yugoslav Government has provided no information of any kind to the Security Council and has not yet, to my knowledge, even advised the Security Council that it recognizes any responsibility toward the

Council in the administration of its zone. Far from being successful in diverting attention from violation of its international obligations, the action of the Yugoslav Government in bringing the subject of the administration of the British-United States zone to the attention of the Security Council has turned the spotlight squarely on the Trieste problem and has suggested to the Council the necessity for careful consideration of the administration of the entire Territory with a view to determining whether it is being properly administered by the caretaker military governments.

I advised the Council last Wednesday that the report of the administration of the British-United States zone for the period April 1 to June 30, 1948, would soon be available for distribution to the members. That report was distributed yesterday as document S/953 and completes the record up until the first of last month. I hope that the members have had an opportunity at least to glance at this latest report and to refresh their recollections of the two previous reports, since I am confident that a review of the complete record of the history of the zone will convince them that the Allied Military Government has properly fulfilled its responsibilities in conformity with the fully accepted obligations of the British and United States Governments as announced to the Security Council in Senator Austin's letter of November 18, 1947, distributed as document S/604. For the convenience of the Council I should like to read the closing paragraphs of that letter:

"It is the view of the Government of the United States that, pending the assumption of office by the Governor, the Commanders of the British-United States Zone and the Yugoslav Zone of the Free Territory are, as trustees, obligated to administer the Free Territory within their respective Zones in conformity with the provisions of the Treaty establishing the Free Territory of Trieste and in such a way as to assist in the realization of its ultimate purposes. The Commander of the

¹ Made in the Security Council on Aug. 10, 1948, and released to the press by the U. S. Mission to the U. N. on the same date.

² See *post*, p. 233.

British-United States Zone has accordingly been instructed that he should take no actions which may prejudice the ability of the Government and the inhabitants of the Free Territory to bring the provisions of the Treaty into force by free democratic means as soon as the Territory has been unified and a Governor appointed and that he should therefore maintain the existing instructions until they can be modified by due process of law. In the meanwhile, the actions of the Commander of the British-United States Zone will be guided mainly by the needs of the population and its well-being.

"It is recognized that the provisions of the Treaty require that, pending the assumption of office by the Governor, there shall be separate administrations within the two Zones of the Free Territory. It is the view of the Government of the United States that they and the Government of the United Kingdom in their Zone, and the Government of Yugoslavia in its Zone, are clearly charged with ensuring that the areas under their respective administrations are so governed that there shall be no radical constitutional modifications such as must make more difficult the future integrity and independence of a united and prosperous Free Territory of Trieste. It is further the duty of the administration in each of the two Zones to take no steps which will obstruct the proper application of these principles in the other Zone.

"In fulfillment of its obligations in this respect, the Government of the United States will from time to time report to the Security Council concerning its responsibilities in connection with the administration of the Free Territory of Trieste, including the protection of the basic human rights of the inhabitants and will ensure that public order and security are maintained in the Free Territory in accordance with the purposes and principles of the applicable provisions of the Treaty of Peace with Italy."

Although I am convinced that the record speaks for itself, I shall presume on the patience of the members of the Council to explain in some detail the background of the arrangements referred to in the Yugoslav charges and to demonstrate the falseness of the specific accusations made against us.

Let us look at the legal basis of the charges which have been leveled against the Allied Military Government in Trieste by Yugoslavia. Essentially, the charges are that the Allied Military Government has violated the provisions of article 24, paragraph 4, of the Permanent Statute for the Free Territory of Trieste (which is annex VI of the treaty). That article reads as follows:

"Economic union or associations of an exclusive character with any State are incompatible with the status of the Free Territory."

It should be noted at the outset that this provision is not one of prohibition but simply a statement of

policy on principle governing Trieste's permanent status as a Free Territory.

It is important to follow the exact legal provisions of the treaty of peace with Italy which are applicable to this situation. Article 21 of the treaty contains the general provisions regarding the establishment of the Free Territory of Trieste. Paragraph 3 of that article provides as follows:

"On the termination of Italian sovereignty, the Free Territory of Trieste shall be governed in accordance with an instrument for a provisional regime drafted by the Council of Foreign Ministers and approved by the Security Council. The Instrument shall remain in force until such date as the Security Council shall fix for the coming into force of the Permanent Statute which shall have been approved by it. The Free Territory shall thenceforth be governed by the provisions of such Permanent Statute."

The Permanent Statute is set forth in annex VIII of the treaty and the Instrument for the Provisional Regime is set forth in annex VII. It is undisputed that the Free Territory of Trieste is still governed by the terms of the Instrument for the Provisional Regime since the Permanent Statute has not yet come into force. This instrument set forth in annex VII of the treaty therefore determines the legal rights and duties of the Military Commanders who under its first article continue to administer their respective zones pending the assumption of office by the Governor. The provisions of the Permanent Statute are applicable during the Provisional Regime only so far as they are incorporated by reference in article 2 of the Instrument for the Provisional Regime.

This article 2 contains a number of sentences some of which refer to the situation which will exist when the Governor assumes office. Interspersed among these sentences is one which reads as follows:

"Likewise all other provisions of the Permanent Statute shall be applicable during the period of the Provisional Regime as and when these provisions prove to be applicable and in so far as they are not superseded by the present Instrument."

The Yugoslav claim is that paragraph 4, article 24, of the Permanent Statute contained in annex VI is one of the provisions referred to in this sentence which I have just quoted from article 2 of the Instrument for the Provisional Regime. The Yugoslav position seems to be that this paragraph 4 of article 24 is "applicable" and has not been "superseded" by any of the provisions of the Instrument for the Provisional Regime and, that as a result, the agreements entered into by the Allied Military Government and the Italian Government referred to in their claim are a violation of the treaty.

We do not deny that paragraph 4 of article 24 establishes a principle which should guide the Governor during the period of the Provisional Regime. We do emphatically reject the contention that this paragraph is applicable to the actions of the Allied Military Government which are complained of. It is clear that with reference to the subject matter dealt with in the agreements between the Allied Military Government in Italy, this provision has been totally superseded by the provisions of articles 10 and 11 of the Instrument for the Provisional Regime. Not only is this clear from the text of the treaty but it is the position which has been taken by the Council of Foreign Ministers.

Article 10 provides that "Existing laws and regulations shall remain valid unless and until revoked or suspended by the Governor."

Article 11 is the core of the legal situation and the members of the Council will wish to have it in mind. It reads as follows:

"Pending the establishment of a separate currency regime for the Free Territory the Italian Lira shall continue to be the legal tender within the Free Territory. The Italian Government shall supply the foreign exchange and currency needs of the Free Territory under conditions no less favorable than those applying in Italy."

"Italy and the Free Territory shall enter into an agreement to give effect to the above provisions as well as to provide for any settlement between the two Governments which may be required."

Nothing can be clearer, it would seem, than that the continuation of a system under which the Italian Lira shall continue to be the legal tender within the Free Territory is an "exclusive association" within the meaning of paragraph 4 of article 24, annex VI. This is likewise true of a system whereby Italy shall supply the foreign exchange and currency needs of the Free Territory under conditions no less favorable than those applying in Italy. Such a system is necessarily an exclusive association. Since article 11 requires these exclusive associations, it seems clear beyond question of doubt that the provisions of article 11 of annex VII, supersede as a matter of law the provisions of article 24, paragraph 4 of annex VI, and that as a result the latter are not applicable to the present situation.

The United States position is, therefore, that the acts of the Military Government in the British-American Zone of Trieste have in no way infringed the provision of the treaty of peace with Italy, but have stemmed from authorizations contained in the treaty and have been consistent with the responsibility of the United States and the United Kingdom to administer their zone during the interim period in such way as best to serve "the needs of the population and its well being" (article 11 of annex VII).

If there is any doubt that this is the correct interpretation of the Italian treaty of peace, it can be found in the subsequent consideration by the Council of Foreign Ministers of the problems involved in creating an independent financial, currency, foreign exchange, and customs regime in the Free Territory. The Council of Foreign Ministers in December 1946 appointed a Trieste Commission of Inquiry with the following terms of reference:

"to investigate the general financial position and prospects of the proposed Free Territory of Trieste; after consultation with the Yugoslav and Italian authorities and any consultations which it deems appropriate the Commission shall make recommendations not later than February 20th 1947 on this matter, and on any problems which may be involved in the setting up of the Free Territory as a separate currency and customs unit with particular reference to any initial difficulties which may arise between the entry into force of the Treaty of Peace with Italy and the end of 1947."

Throughout this report, and in particular in the sections of this report dealing with balance of payments, currency, foreign exchange, and customs, it will be found that the representatives of the four powers—France, U.S.S.R., United Kingdom, and the United States—were in complete agreement that pending the organization by the Governor of a separate system of currency, finance, foreign exchange, and customs, the existing arrangements should stand. The Yugoslav Government was invited by the Council of Foreign Ministers at the time to comment on this report and did so. Its comments indicate that it clearly accepted the fact that during the interval before the Governor could set up a separate system for the Free Territory it would be necessary to continue the existing arrangements and that such arrangements clearly constituted exclusive arrangements with Italy.

The Council of Foreign Ministers, in forwarding this report to the Security Council, made certain comments. (The report of the Trieste Commission of Inquiry was circulated to the Security Council as an attachment to document S/577.) Contrary to the allegations of the Yugoslav Government, their comments do not support the Yugoslav contentions. A reading of the report, of the formal comments made by the Italian and Yugoslav Governments, and of the recommendations of the Foreign Ministers to the Security Council, reveals clearly that the Foreign Ministers unanimously accepted the necessity of continuing exclusive arrangements with Italy until the Governor had sufficient time to set up an independent economic regime. It is true that they concluded that in the solution of the various economic questions which had been considered by the Commission, the economic independence of the Free Territory should be provided for in accordance

with paragraph 4 of article 24 of the permanent statute. But the sentence preceding this statement in the Foreign Ministers' decision is as follows:

"Until the coming into force of the Permanent Statute the solution of these questions falls within the competence of the Governor and the Provisional Council of Government in accordance with the relevant Articles of the Instrument for the Provisional Regime of the Free Territory of Trieste."

Thus the Foreign Ministers confirmed rather than brought into question the principle contained in article 11 of the treaty—which was accepted by the Commission and the Governments concerned—that pending the creation of the new economic regime by the Governor the existing exclusive arrangements with Italy must necessarily be continued.

Mr. President, it is clear the Yugoslav charges rest on an unsound legal contention. We do not believe that a serious legal issue is involved. If, after hearing the whole case, however, the Council still believes that there are legal issues unresolved which may affect their decision, the United States would of course be willing to have the powers administering Trieste refer to the International Court of Justice for decision any questions outstanding among them on the legality of Allied administration of the Free Territory of Trieste under the treaty of peace with Italy.

Having demonstrated that there is no legal basis for the Yugoslav complaint in terms of the applicable treaty provisions, it is appropriate to examine the situation in terms of its financial and economic aspects in order to have a clear appreciation of the nature and effect of the agreements which the Allied Military Government has concluded with Italy in accordance with the rights and obligations contained in article 11 of annex VII of the treaty.

With regard to the specific charges concerning the administration of the financial and economic affairs of the British-United States zone, the burden of the charges made by the Yugoslav Government is that the United States and the United Kingdom have consciously taken direct steps to subjugate the zone to the Italian economy. This accusation implies that the British-American zone of the Free Territory was, upon the coming into force of the treaty of peace with Italy, an economically independent area. This is, of course, just the reverse of the situation of the zone of September 15, 1947. Until that date, although the United States-United Kingdom zone was under Allied Military Government under the armistice agreement, it was an integral part of Italy, and the same regulations regarding currency circulation, credit, foreign exchange transactions, customs, and the

like were in force in the zone as in the rest of Italy. Relations between Trieste and Italian banks, industries and businesses were conducted as before the war with no barriers raised at what now is the border of United States-United Kingdom zone.

The drafters of the financial and economic provisions of the Italian peace treaty were well aware of this situation. The provisions ultimately included in the treaty envisaged a gradual transition from an area to all intents and purposes a part of Italy, to an economically separate Free Territory. The inclusion in the treaty of a Provisional Instrument is a simple but clear illustration of this point. The treaty contemplated that this transition would be accomplished in stages. At the outset there would be a period in which the Allied Commands would continue to administer their respective zones; there would then be a period in which a Provisional Council of Government and a Governor in charge of the Free Territory would continue to apply existing economic arrangements pending the establishment of a separate economic regime; and only later would there be a popular Assembly, a Governor, and a Council of Government operating under the Permanent Statute. In fact, we have not progressed beyond the first stage of the transition process for reasons which are familiar to all of us. In view of the fact that Trieste is still administered under the Allied Command in their respective zones, it is natural that many economic ties with Italy should remain in force. It would be contrary to the obvious intent of the treaty of peace for Allied Military Government to take steps during this period which the treaty contemplated should take place only during later periods of the transition process. Such basic steps in the direction of divorcing the Trieste economy from Italy were intended to be left to the Governor and the Provisional Council of Government, not to the ultimate government operating under the Permanent Statute.

I have previously called the Council's attention to the fact that article 11 of annex VII provides that "Pending the establishment of a separate currency regime for the Free Territory the Italian lira shall continue to be the legal tender within the Free Territory." This arrangement was included in the instrument for the provisional regime of the Free Territory specifically for the purpose of enabling the Free Territory to continue to function financially and economically during the period preceding the establishment of its own monetary regime. The Yugoslav Government in its note of July 28 states categorically that "there is no doubt that there exists a treaty obligation . . . to effectuate the supply of Italian liras to their zone in such a way that the economic independence of the Free Territory of Trieste will not be destroyed." But the Yugoslav Government does not state how this arrangement can possibly be accomplished without creating a financial association of a unique

character between the Free Territory and Italy. I should like to call your attention to certain comments in this regard which were made by the Yugoslav Government to the Council of Foreign Ministers at Moscow on April 19, 1947, respecting the report of the Trieste Commission of Inquiry which had been charged with making an investigation into the economic situation and prospects of the Free Territory). The Yugoslav Government, in commenting on the period when the lira would be the legal tender of the Territory and lira currency would be supplied by Italy, stated that such "currency unity between the Free Territory and Italy would mean the absence of independence of the Free Territory in relation to Italy, its economic dependence on Italy's currency policy and this) would amount to a relationship of an exclusive character between the Free Territory and Italy." The Yugoslav Government in effect objected to article 11. However, an article of a treaty cannot be deleted from a treaty merely because one party frowns at it. The article remains in the treaty and, even though the Yugoslav Government chooses in its own zone to ignore its obligations under that article, the Allied Military Government tends to continue to act in accordance with this treaty obligation. Now, in order to support their charges, they insist that lira should be supplied to the Free Territory, but in a way which would not involve exclusive association with Italy. Apparently the Yugoslav Government is still opposed to the implementation of article 11.

The Yugoslav Government then states that the Allied Military Command has concluded a number of treaties with Italy which, it alleges, "are in complete contradiction" to the Command's obligation "to effectuate the supply of Italian liras to their zone in such a way that the economic independence of the Free Territory of Trieste will not be destroyed." I should like to discuss each of the agreements cited by the Yugoslav Government and demonstrate to you that they are in direct implementation of the obligations of the instrument for the provisional regime, principally article 11. If they are not in consonance with paragraph 4 of article 24 of the Permanent Statute, it is for the reason I have already stated, namely that article 11 clearly supersedes this provision. I can state without reservation, moreover, that all of these agreements were concluded with the best interests of Trieste in mind and with the objective of promoting its economic recovery and well-being.

(a) In the first place, the Yugoslav Government has mentioned an agreement dated March 9, 1948, which concerns the supply of lira currency to the Free Territory. They state that by virtue of this agreement "the monetary frontier has been wiped out" between the Free Territory and Italy. This charge is without foundation since no such monetary frontier has ever existed. The free circulation of Italian lira within the Free Territory and

between the Free Territory and Italy has never been impeded and article 11 of annex VII in effect provides for continuation of this situation pending the establishment of an independent currency regime.

The Yugoslav Government cites article 4 of the agreement of March 9, 1948, under reference, to the effect that the Trieste branch of the Bank of Italy "will administer the Treasury of the (U.S.-U.K.) Zone." In the context of the Yugoslav argument this statement would appear to imply that the Italian Government through the Trieste branch of the Bank of Italy was to exercise control or at least influence on the budgetary and fiscal policy of the Free Territory.

Article 4 of the agreement of March 9 provides merely as follows:

"The amount of (lira) notes thus supplied will be entered by the Trieste branch of the Bank of Italy in a special account in the name of the Command of the zone. The operation of the treasury cash account of the zone will be entrusted to the Trieste branch of the Bank of Italy which will provide special accounting showing the income and expenditure in respect of the administration of the zone."

As is seen from this provision, the Trieste branch of the Bank of Italy exercises no function other than that of fiscal agent for the Allied Military Command and is concerned merely with the handling of the Command's cash account. Decisions with respect to budgetary and fiscal policy are entirely within the competence of the Allied Military Command. Naturally there must be consultation with the Italian Government on matters which relate to the obligations of that Government under article 11.

The Yugoslav Government refers to article 5 of the same agreement of March 9 which provides that the Allied Command will apply in the territory under its jurisdiction the regulations of the Italian Republic concerning monetary circulation. If the Italian Government is to supply the currency needs of the Free Territory and if the Italian lira is to circulate there freely, clearly the Free Territory must apply the same regulations and safeguards concerning monetary circulation as are applied by the Italian Government within its own territory. The nature of these safeguards is illustrated by the following excerpt from article 5 of the agreement of March 9:

"In particular the Command of the zone will adopt all necessary measures against the manufacture and distribution of false or counterfeit notes and against the illicit transfer of currency abroad."

The Yugoslav Government further refers to that part of the March 9 agreement which provides that Allied Military Government will receive amounts

of lira proportionate to currency advances from the Bank of Italy to the Italian Government and that should the Italian Government return any part of such advance to the Bank of Italy the Allied Military Command will likewise return a proportionate amount. The Yugoslav Government charges that as a result the Free Territory is—

“subjected to the measures of the Italian Government, by which it increases or decreases the circulation of notes, in accordance with its own estimates and in the exclusive interest of Italy, without any possibility for the Free Territory of Trieste to protect its rights in any way whatsoever.”

The currency circulating in the United States-United Kingdom zone of Trieste is not affected solely, or even largely, by the operation of the March 9 currency agreement to which the Yugoslav Government attributes such consequences. This is only the first of three agreements signed on March 9 between the Allied Military Command and the Italian Government which together provide for implementation of article 11 of annex VII of the treaty. This and the second agreement concern the supply of lira currency to the Allied Military Command. In fact the greater part of the needs of the Free Territory for lira currency are to be met under the second agreement. Paragraph 3 of the second agreement (known as the agreement on finance) provides that—

“The Command of the zone will supply to the Italian Government the requisite data about the financial requirements of the zone. On the basis of an estimate compiled in conjunction with officials of the Italian Government, the Italian Government and the Command of the zone will agree (regarding) the amounts to be supplied every six months by the Italian Government.”

The determination of what amount of lira currency will be put into circulation in Trieste is not a matter for unilateral Italian determination. The March 9 agreements explicitly provide that this decision will be made through consultation between the Allied Military Command and the Italian Government. In view of this arrangement, it is difficult to see any basis for the charge that it represents “in a monetary regard the submission and incorporation of the Free Territory into Italy.”

(b) The Yugoslav Government states that the second currency agreement, the agreement on finance of March 9, 1948, provides “that the Italian Government . . . will be granted complete control of its (Trieste) finances.” No substantiation of this charge can be found when one examines the text of the agreement referred to. The agreement provides in substance that Italy will meet the lira requirements of the Allied Military Command and that the requirements of the zone will be determined in consultation between Trieste

and the Italian Government. The Allied Military Command has, therefore, every opportunity to support in such discussions the interests of the zone with respect to its economic recovery and the well-being of its inhabitants. Moreover, article 11 of the reference agreement provides that if the Italian Government and the Command of the zone do not reach agreement on the amount of the funds to be advanced the latter reserves the right to refer the question to the Governments of the United Kingdom and the United States. The Yugoslav Government's statement also appears to imply that the Italian Government has control over the internal financial and budgetary operations within the U. S.-U. K. zone. I have already stated that no such arrangement is provided for in any agreements, nor is it contemplated.

The Yugoslav Government further charges that the Allied Military Command has gone far beyond its mandate in imposing on the future government of the Free Territory of Trieste a contractual obligation the final amount of which is not determined at the present time and which will eventually depend only on the agreement between the Anglo-American part of the Free Territory of Trieste and the Italian Government. It seems to me farfetched to charge that the Allied Military Command, acting in direct fulfillment of its obligations under article 11 of annex VII has “gone far beyond its mandate.” In implementation of this article, under present circumstances, it is indispensable to the continuation of economic life in the Zone, it is inevitable that an obligation be incurred and it is clearly impossible to determine now its final amount. The parties to the treaty in agreeing to article 11, must necessarily have contemplated that such an obligation would be incurred. Naturally, the amount of currency advanced depends only on agreement between the Anglo-American part of the Free Territory and the Italian Government; what other authority is in a position to judge the requirements of the Zone? The final amount of the obligation, of course, will only be determined by negotiation between the Italian Government and the government which will ultimately administer the Free Territory of Trieste. This is specified in article 5 of the agreement under consideration.

I believe that my comments on these two agreements of March 9 have made it clear that rather than impeding or injuring the economic development of the Free Territory these agreements are in fact, making a substantial contribution to the development. The Italian Government at considerable burden to itself is currently supplying a sizable portion of the financial requirements for the revival of industrial and commercial activity and the healthy economic functioning of the British-United States zone. Naturally, in view of the Italian contribution, close and continual consultation is maintained between Italy and the Allied

command concerning the magnitude of the Trieste requirements and the use of the funds which Italy is contributing.

The Yugoslav Government has referred to the third agreement dated March 9, 1948, concerning provision by Italy of foreign exchange and a series of working arrangements concluded in final form on June 26, which the Yugoslav Government has referred to as having been published in the Italian *Collettino* dated May 6, which implement the three agreements of March 9, charging that through these arrangements the Allied Military Command has handed over to the Italian Government control of the most important foreign relations of the Anglo-American zone and accomplishing the destruction of the independence of the Zone and its inclusion in Italy. In the first place I turn again to article 11 of annex VII as the obvious basis for the third agreement of March 9, in that Italy is required thereby to "supply the foreign exchange needs . . . of the Free Territory under conditions no less favorable than those applying in Italy." That the Italian foreign exchange regulations must be extended to the United States-United Kingdom zone of Trieste is also clear if the Italian foreign exchange position is to be properly safeguarded and substantial evasions of Italian law and weakening of Italy's international payments position is to be avoided. Further, the extension of the Italian payments and commercial agreements to the Free Territory is a necessary corollary to the continuance of the application of Italian foreign exchange regulations. There is no other practicable way to assure that residents of Trieste will be treated, in respect to foreign exchange, on at least as favorable a basis as similar businessmen inside Italy. A simple analysis of the problem of allocating foreign exchange to importers within Italy and within Trieste would indicate why this is so. Until the Governor has set up a Trieste currency, an independent foreign exchange control system, an independent banking system, and an independent customs control system the only practical solution is to continue the application of the Italian trade agreements to Trieste. To the charge that this is an exclusive arrangement with Italy, the answer is that of course it is, and it is so because that is exactly what was contemplated by the peace treaty during the period until the Governor could set up his own independent system.

What we have done in our zone is merely to carry out the program contemplated by the Trieste Commission of Inquiry and the Council of Foreign Ministers. The Trieste report says in the first paragraph of the section entitled Foreign Exchange:

"It is recommended that the Government of the Free Territory of Trieste establish as soon as possible after the inauguration of the Free Territory an autonomous foreign exchange control system.

Pending the establishment of this system the present regulations should remain in force."

In paragraph 7 of this same section it is recommended:

"Pending the regulation of its own system, the Free Territory should utilize the present system of export and import licensing."

The present system is of course the Italian system. The Yugoslav Government made no comments on the aforementioned sections of the report of the Commission. It is noteworthy that in the beginning of their paper they stated that where no comments were made they agreed with the conclusions of the report.

The retention of Trieste within the Italian customs system was recognized as appropriate for the interim period by the Council of Foreign Ministers in the second of their decisions made in Moscow on April 22, 1947, when they examined the Report of the Commission of Inquiry and recommended that "until a new customs regime is introduced by the authorities of the Free Territory of Trieste the present regime should be maintained". As the Ministers envisaged, it would be for the Governor and Provisional Council of Government to institute a new customs regime, presumably concurrently with the setting up of separate currency and foreign-exchange regimes. The repeated Yugoslav charges of subjugation to Italy have no more validity here than elsewhere.

In discussing the various arrangements with the Italian Government to which the Yugoslav Government has taken exceptions, I trust that I have demonstrated that they involve no fundamental or lasting infringement on Trieste's independence since they only give effect to the Provisional Instrument and the decisions of the Council of Foreign Ministers which apply to the present interim period. The March 9 agreements entail an exclusive association with Italy such as is required for the full implementation of article 11 of the Instrument for the Provisional Regime or for the observance of the principle of article 2 of that instrument which states that the Governor, and presumably the Allied Commands before him, should be guided by the needs of the population and its well-being. As for the working arrangements adopted on June 26, these set forth certain administrative procedures in the fields of foreign exchange and trade which must logically be put into effect during this interim period.

Finally, let me only mention in passing the ridiculous Yugoslav allegation that, by concluding a postal agreement with Italy in which the Anglo-American zone establishes uniform postal rates with Italy, the Allied Military Command has placed their zone under Italian sovereignty. By what stretch of the imagination can such an agreement be said to entail the loss of sovereignty? In case members of the Council should wish to

examine this lengthy agreement, copies are being forwarded from Trieste by airmail and will be submitted to the Security Council as soon as they arrive.

The above point-by-point analysis shows how utterly baseless are the charges the Yugoslav Government has leveled against the United States and the United Kingdom in this Council and yet on this flimsiest of foundations rests their charge that the United States and the United Kingdom have conspired to impose on the Security Council the *fait accompli* of the incorporation of the Anglo-American zone into Italy. We flatly reject this charge.

I have taken a great deal of the Council's time and have perhaps gone into greater detail than is warranted by the utter baselessness of the Yugoslav Government's charges. I have done so in order that the members of the Council who examine the matter in a judicial spirit need not depend on mere assertions but may see for themselves that the Government of the United States has made every endeavor to adhere to the letter and spirit of provisions of the Italian treaty pertaining to the Free Territory of Trieste. I have done so also because I think that the Council in considering its general obligation toward the Free Territory may desire to ask some questions of the Yugoslav Government concerning its administration of its zone of the Free Territory and I would express the hope that the answers which the Council will receive will be as complete and thorough as those which I have given to the charges brought by the Yugoslav Government against the Anglo-American administration in Trieste.

I have spoken so far about the past administration of the British-United States zone. I have attempted to explain to the Council a few of the very many legal and administrative difficulties which beset the Commander of the combined British and United States forces in the zone. Despite all difficulties, I say again, my Government is proud of the accomplishments of the Allied Military Government in its efforts to care for the welfare of the population and to keep alive the fragile economic life of Trieste. There have been more than technical administrative difficulties—there have been grave financial difficulties, and the burden which has thus far been borne by the United States, British, and Italian Governments has been very considerable and cannot be borne indefinitely. A satisfactory solution of the Trieste problem cannot be postponed much longer.

During the Council of Foreign Ministers' discussion of the Italian peace treaty the United States Government insisted that the entire area now constituting the Free Territory of Trieste with its overwhelmingly Italian population must remain Italian. However, when after many weeks and months of discussion of this problem it became apparent that it would not be possible to secure the

adoption of such a solution and for the sake of unanimity and in the interest of the re-establishment of peace with Italy, the United States agreed to the creation of a Free Territory of Trieste despite the political and economic instability that was almost foredoomed to be its future. Agreement was given reluctantly and the settlement was accepted by the United States Government in the clear understanding that the successful implementation of the provisions for the creation of a truly independent Free Territory was wholly dependent upon the full and faithful cooperation of all of the powers concerned and most particularly of the part of Italy and Yugoslavia. The Italian Government has faithfully fulfilled its obligation and has already contributed, at measurable sacrifice to its own economy, to the maintenance of the economy of the British-United States zone. The Yugoslav Government on the other hand has not only shown no evidence of good will or cooperation but has made every effort, including an open attempt, to violate forcefully the territory under British-United States administration; to subvert the intent and purpose of the treaty; to incorporate the Yugoslav zone directly into Yugoslavia; submitting the population to an alien and totalitarian system; and to foment discord and unrest whenever and wherever possible in the British-United States zone. For these reasons the United States Government joined with the Government of the United Kingdom and France in a joint statement on March 20, 1948, proposing that the powers concerned negotiate the necessary revision of the Italian treaty to set aside the now proven unworkable settlement envisioned in the treaty and arrange for the return of the entire area of the Free Territory of Trieste to Italian sovereignty. This is the settlement which the United States urged at the time of the drafting of the treaty for it is the settlement which my Government is convinced most nearly meets the desires and aspirations of the people of the territory and which will hold out the best hope for ultimately providing the basis for lasting peace and security in the area.

As a first step in the direction of achieving the necessary revision of the treaty the United States, British, and French Governments have invited the Soviet Government, as the fourth member of the Council of Foreign Ministers which drafted the treaty of peace with Italy, and the Italian Government as the government which would regain sovereignty over the territory, to agree to negotiate a protocol to effect the necessary revision. The Italian Government agreed immediately to the proposal. In concert with the United Kingdom, the French, and the Soviet Governments, it is hoped that it will soon be possible to establish a procedure to make further progress in implementation of the March 20 proposal. The United States believes that this is the appropriate procedure within the spirit and intent of the Charter to bring about

ange in an unsatisfactory treaty. It is the pro-
 ure of peaceful negotiation. The United States
 s not accept or act upon the theory which seems
 nspire some other governments that if they do
 like a treaty they may disregard it and violate
 The United States while urging a change in the
 ty meanwhile regards it as binding. For as
 g as the United States Government shares in
 responsibility for administration of the Free
 ritory of Trieste, I can, without qualification

of any kind, assure the Security Council that my
 Government will continue to adhere to all of its
 obligations under the existing treaty and that it
 will give its complete cooperation to the Council
 in the fulfilment of the Council's responsibilities
 for the assurance of the integrity and independ-
 ence of the Territory, the protection of the human
 rights of the inhabitants, and the maintenance
 of public order and security in the entire Free
 Territory.

**NOTE OF JULY 28, 1948, FROM THE FEDERAL PEOPLE'S REPUBLIC OF YUGOSLAVIA
 CONCERNING THE FREE TERRITORY OF TRIESTE³**

he Government of the Federal People's Republic of
 oslavia has the honour to draw the following to the
 ntion of the Security Council, which, in accordance
 Article 21, paragraph 1, and Article 2, Annex VI of
 Treaty of Peace with Italy, assures the territorial
 rity and independence of the Free Territory of
 ste.

he Government of the Federal People's Republic of
 oslavia has addressed several notes to the Govern-
 ts of the United States of America and the United
 gdom relative to consistent acts of violations of the
 ses of the Treaty of Peace with Italy regarding the
 Territory of Trieste on the part of the Allied Military
 mand, respectively on the part of the American and
 ish Governments. The Government of the Federal
 e's Republic of Yugoslavia duly informed the Se-
 ty Council of one of these notes, dated April 12, 1948,
 49735, which it had addressed to the Governments
 e United States and the United Kingdom.⁴

om the facts which have been disclosed in the afore-
 tioned notes, the intention of the Allied Military Com-
 d to infringe on the independence of the Free Terri-
 of Trieste has become quite clear. In the recent
 d, the Allied Military Command undertook measures
 h were a further breach of the Treaty of Peace and
 h placed the independence of the Free Territory of
 ste in jeopardy.

I.

Article 21 of the Treaty of Peace, the Allied and
 ciated Powers, as well as Italy, recognized the in-
 ndence of the Free Territory of Trieste. This in-
 ndence of the Free Territory of Trieste was placed
 r the assurance of the Security Council.

accordance with Article 24, paragraph 4, Annex VI
 e Treaty of Peace, economic union or associations of
 xclusive character with any State are incompatible
 the status of the Free Territory of Trieste. This
 sion of the Permanent Statute can and, therefore,
 e accordance with Article 2, Annex VII, of the Treaty
 eace, must be applied during the Provisional Regime
 ell.

is is also stated in the decision of the Conference of
 igh Ministers in Moscow, dated April 22, 1947. There-
 is explicitly stressed that in the solution of the
 tions of the budget, balance of payments, currency,
 oms and other financial and economic questions con-
 ng the Free Territory of Trieste, the economic in-
 ndence of the Free Territory should be provided for
 e accordance with the provisions of the Permanent Stat-
 particularly paragraph 4 of Article 24 of the Perma-

nent Statute—all this being applicable also for the period
 of the validity of the instrument for the Provisional
 Regime of the Free Territory of Trieste.

In accordance with Article 11, Annex VII of the Treaty
 of Peace, the Italian lira shall continue to be the legal
 tender in the Free Territory of Trieste pending the es-
 tablishment of a separate currency regime. Italy is there-
 by obliged to conclude a treaty with the Allied Military
 Command, as well as with the Military Administration
 of the Yugoslav Army, which would insure the supply of
 liras and foreign currencies to the Free Territory of
 Trieste and which would not violate the conditions in
 Article 21 of the Treaty of Peace and Article 24, para-
 graph 4, of the Permanent Statute, to which Italy is also
 bound. Therefore, there is no doubt that there exists a
 treaty obligation for the Allied Military Command, as
 well as for Italy, to effectuate the supply of Italian liras
 to their zone in such a way that the economic inde-
 pendence of the Free Territory of Trieste will not be
 destroyed.

In spite of this, the Allied Military Command has con-
 cluded a number of treaties with Italy, which are in
 complete contradiction to this obligation, and which have
 as a final effect the economic incorporation of Trieste into
 Italy.

These treaties are the following:

1. An agreement dated March 9, 1948 between the Re-
 public of Italy and the Allied Military Command con-
 cerning the regulation of certain financial questions
 arising from the execution of the Treaty of Peace. The
 first article of this agreement reads as follows:

"The Italian Government and the Command of the Zone
 undertake to place no restrictions on the free movement
 of bank notes and notes of the Italian State between their
 respective territories in order that the requirements for
 economic activities may continue to be provided through
 the normal financial channels."

Thus, the monetary frontier has been wiped out; and,
 other articles of the same agreement further put the Free
 Territory of Trieste, with regard to monetary problems,
 under the sovereignty of Italy. According to Article 2 of
 this agreement, each time the Italian Treasury has been
 allocated an effective supply of currency, the Allied Mili-

³ Contained in U.N. doc. S/927, July 28, 1948.

⁴ U.N. doc. S/944, Aug. 4, 1948.

THE UNITED NATIONS AND SPECIALIZED AGENCIES

tary Command will similarly be granted an amount equivalent to 0.65% of these means, which operation will be transacted by the Trieste branch of the Bank of Italy, which, according to Article 4 of this agreement, will administer the Treasury of the Zone. Should the Italian Treasury return any part of these means to the Bank of Italy, the Allied Military Command is therewith obliged to return the proportionate amount.

The first sentence of Article 5 of the agreement reads:

"The Command of the Zone will apply in the Territory under its jurisdiction all regulations of the Italian Republic concerning monetary circulation and will avoid taking any contrary measures."

Thus, the Free Territory of Trieste is subjected to the measures of the Italian Government, by which it increases or decreases the circulation of notes, in accordance with its own estimates and in the exclusive interest of Italy, without any possibility for the Free Territory of Trieste to protect its rights in any way whatsoever and without any obligation to issue advance information regarding such measures to the Allied Military Command.

Moreover, the Allied Military Command is obliged on the basis of this agreement to directly apply the Italian regulations regarding the circulation of money in the Allied Zone. It is obvious that this is more than a monetary union: This represents in a monetary regard the submission and incorporation of part of the Free Territory of Trieste into Italy—and the destruction of the economic independence of the Allied Zone of the Free Territory of Trieste.

2. An agreement on finance, also dated March 9, 1948, provides that Italy will finance the administration of the Zone, and that the Italian Government thereby will be granted complete control of its finances. It is clear that the aim of this agreement is not merely to subject temporarily the Allied Zone of the Free Territory of Trieste to Italy, but by implicating the Free Territory of Trieste in a debtor relationship with Italy, to prevent in advance its economic, and, consequently, its political independence.

Hence, in addition to the serious violations of the above-mentioned clauses of the Treaty of Peace and of the decisions of the Council of Foreign Ministers, the Allied Military Command has gone far beyond its mandate by imposing on the future government of the Free Territory of Trieste a contractual obligation, the final amount of which is not determined at the present time and which will eventually depend only on the agreement between the Anglo-American part of the Free Territory of Trieste and the Italian Government.

3. An agreement on the provision of foreign exchange for the Zone, also dated March 9, 1948, completes this work. Article 2, paragraph 1, of this agreement reads:

"The Italian Government and the Command of the Zone recognize that the operation of the provisions of Article 11, Annex VII of the Treaty of Peace must involve the application to the Zone as heretofore of the Italian exchange control regulations. The Italian Government shall receive current foreign exchange earnings accruing to the Command of the Zone under the exchange regulations in force."

Hence, the Anglo-American Zone of the Free Territory of Trieste is completely subordinate to Italy in regard to foreign trade as well.

"Informazioni per il commercio estero—Bollettino settimanale dell'Istituto Nazionale per il commercio estero" dated May 6, 1948, has issued the agreement between the Italian Government and the Allied Military Command, with respect to the fulfillment of the agreements made on March 9, 1948, which, in its second paragraph asserts that, according to the agreement of March 9, 1948, all existing

trade and payment agreements between Italy and other nations are considered extended to the Zone as well.

In fact, the Allied Military Command has thus handed over to the Italian Government control of the most important foreign relations of the Anglo-American Zone. This constitutes the most flagrant violation of the task of the mandate, as entrusted to the Allied Military Command in Article 1, Annex VII of the Treaty of Peace to protect the independence and integrity of the Territory of Trieste. The destruction of the independence and the inclusion of the Anglo-American Zone into Italy in the provisions of the cited article of the agreement of May 6, 1948, have also been formally accomplished, a fact the Italian Ministry of Foreign Trade, through the Ministry of Foreign Affairs, is to inform all states with which Italy has trade and payment treaties of its agreement of March 9, 1948, which renders all existing agreements between Italy and other nations effective for this Zone as well. The violation is an open one.

Article 3 of the agreement of May 6, 1948 provides that the Ministry of Foreign Trade and the Allied Military Command will reconvene immediately after their respective governments have had the opportunity to revise their negotiations within the framework of "The Economic Cooperation Act", for the purpose of establishing an exact position for the Zone in relation to Italy's trade and financial treaties. In the meantime, the Allied Military Command of the Zone has no intention of initiating negotiations of a financial character with any other state in Europe, and to date the Free Territory of Trieste has concluded no commercial treaty with any state.

In this way, the text itself stresses the exclusive character of the relation to Italy. Article 24, paragraph 1, Annex VI of the Treaty of Peace with Italy expressly prohibits associations of an exclusive character; but the agreement of May 6, 1948 goes even further, because it established not only an association but also a subjugation. The other provisions are nothing more than the logical consequence of this alienation of the independence of the Anglo-American Zone of the Free Territory of Trieste. According to Article 1 of this agreement, circular letters, bulletins and in general all written instructions of the Ministry of Foreign Trade will be applied to the Zone, and, as is indicated in Article 4, the Trieste Custom House will be included in the customs system of Italy. Thus the entire Zone is encompassed in the customs system of Italy.

On April 24, 1948, the Italian Department of Currency (*Direzione Generale Valute*) issued an announcement which read as follows:

"Between the Free Territory of Trieste and Italy there is no customs barrier and therefore no obstacle exists to the exchange of goods between Trieste and Italy, with the exception of those essential to this territory and which the Allied Military Command will not allow for import into the Republic.

"The Custom House in Trieste is to all practical purposes considered equal for both export and import to the Italian custom house, with the reservation that the Allied Military Command issues permits exclusively, for the Custom House in Trieste, to business firms which are members of the Trieste Chamber of Commerce. But these permits, if the competent Italian authorities agree, can be valid for any other Italian custom house."

Paragraphs 5 and 6 of the agreement of May 6, 1948, disclose that the Anglo-American Zone in Trieste, as far as the import of goods is concerned, is completely dependent on the Italian Ministry of Foreign Trade, as the ministry must approve all special purchases abroad. Paragraph 7 points out the obligation of the Allied Military Command to issue import and export permits, and with the prior approval of the Italian representative in Trieste. In paragraphs 8 and 9, the Italian regulations

Authorization of Loan for U.N. Headquarters*Statement by the President*

[Released to the press by the White House August 11]

It is with great pleasure that I have signed Senate Joint Resolution 212, authorizing an interest-free loan of \$65,000,000 to the United Nations for construction of its headquarters in New York. The resolution provides for an immediate advance of \$25,000,000 by the Reconstruction Finance Corporation; this will enable the United Nations to start construction at an early date.

I am deeply gratified that the Congress has now completed action on this important measure.

At the opening of the General Assembly of the United Nations on October 22, 1946, in New York, I said:

"The overwhelming majority of the American people, regardless of party, support the United Nations.

"They are resolved that the United States, to the full limit of its strength, shall contribute to the establishment and maintenance of a just and lasting peace among the nations of the world."

The loan demonstrates our faith in the future of the United Nations and expresses the welcome which that organization finds within our country. Moreover, it is another example of the solidarity of the American people in behalf of our national policy of strengthening the United Nations and the cause of world peace and security for which it stands.

Policy on Disclosing Files on Representatives of International Groups*Letter from Secretary Marshall to Senator Revercomb¹*

[Released to the press August 13]

August 7, 1948

MY DEAR SENATOR: I have read your letter of August 5 asking the Department to produce or make accessible the files which are in its custody "relating to persons who have been admitted into the United States of America as affiliates of or accredited to either the United Nations or UNRRA, or other international organizations".

The visa files which you have requested, and related files, contain investigative material provided to the Department by other agencies of the government. Section 161 of the Revised Statutes (5 USC 22) authorizes the head of each Department to prescribe regulations for the custody, use,

¹ Mr. Revercomb is Chairman of the Senate Subcommittee To Investigate Immigration and Naturalization.

ward to "exports without the obligation to cede the currency" (*esportazioni senza obbligo di cessione di valuta*) and in regard to "imports franco currency" (*importazioni franco valuta*) are extended to the Anglo-American Zone of the Free Territory of Trieste. In paragraph 11, the Anglo-American Zone of the Free Territory of Trieste assumes the obligation to liquidate all special accounts of the Bank of Italy in Trieste, which presumably are in contradiction to the trade treaty between the Federal People's Republic of Yugoslavia and Italy.

In addition to the above agreement, the Allied Military Command concluded a postal agreement with Italy which the Anglo-American Zone, in establishing uniform postal rates with Italy, is placed under Italian sovereignty. According to this agreement, the Anglo-American Zone of the Free Territory of Trieste does not represent for Italy a territory of transit and is represented in its relations with foreign countries by Italy, who regulates accounts for the Free Territory of Trieste.

The incorporation of Trieste into Italy is being realized not only by agreements as those cited above, but also the day-to-day administrative decisions of the Allied Military Command of the Free Territory of Trieste.

Thus, the Allied Military Command recently proclaimed the 2nd, i.e. the day celebrating the founding of the Italian Republic, as an official holiday of the Free Territory of Trieste. The reduction of taxes in the interest of business people in Trieste was initiated by the Commission of the Italian Ministry of Finance. The Allied Military Command places in responsible positions of its administration representatives of that minority of the population of the Anglo-American Zone which openly opposes the liquidation of the Free Territory of Trieste, and its incorporation within Italy.

II.

The Government of the Federal People's Republic of Yugoslavia cannot help but associate these violations of independence of the Free Territory of Trieste with the newly-known proposal of the three powers to incorporate the Free Territory of Trieste into Italy and it perceives these violations as the plan of the Governments of the United States of America and the United Kingdom to impose on the Security Council, as well as on the states which signed the Peace Treaty with Italy, the "fait accompli" of incorporation of the Anglo-American Zone of the Free Territory of Trieste into Italy.

The Government of the Federal People's Republic of Yugoslavia, as a co-signer of the Treaty with Italy, as an administrator of that part of the Free Territory of Trieste entrusted to it, as a directly interested party, brings these matters before the Security Council and has the honour to request the Security Council, as the appointed guardian of the integrity and independence of the Free Territory of Trieste:

to declare the above-mentioned agreements violations of the provisions of the Treaty of Peace with Italy which pertain to the Free Territory of Trieste;

to undertake the measures it considers necessary and sufficient for nullifying the respective agreements concluded between the Anglo-American Zone and the Republic of Italy, because by these agreements a situation is created likely to endanger the maintenance of international peace and security; and,

to assure the respect by the Governments of the United States of America and the United Kingdom of their international obligations, thus guaranteeing the independence of the Free Territory of Trieste.

BEograd, July 28, 1948

Mr. DMITRI Z. MANUILSKY
Minister of Foreign Affairs

Ukrainian Soviet Socialist Republic

President of the Security Council, United Nations

August 22, 1948

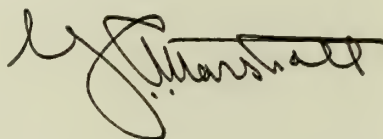
and preservation of Departmental records and papers. The investigative agencies of the government have advised the Department of State that their investigative reports, which have been made available to the Department, may not be disclosed without specific prior approval by them.

Much material in the files has been obtained by our diplomatic and consular establishments abroad from confidential sources which must be protected. Disclosure of this material, and its sources, would hamper the work of the missions abroad. It would also, in certain cases, place the source of the information in personal jeopardy.

Furthermore, disclosure of the files would embarrass the conduct of foreign relations of the United States. Material in the files relates to confidential negotiations with other governments, disclosure of which would not be in the public interest.

I must, therefore, respectfully refuse to produce the files which you have requested, or to permit access to them.

Faithfully yours,



Resignation of Ray Atherton as Ambassador to Canada and Appointment to General Assembly

The President on August 6 accepted the resignation of Ray Atherton as United States Ambassador to Canada and appointed him an Alternate Delegate, U.S. Delegation, to the forthcoming General Assembly of the United Nations at Paris.¹

Mr. Atherton was named Minister to Canada on July 8, 1943, and became the first United States

¹ For texts of the President's and Mr. Atherton's letters see White House press release of Aug. 6, 1948.

² [U.N. doc. A/579, July 20, 1948.]

³ For the first report, see *Special Supplement to Atomic Energy Commission Official Records*, first year (republication of documents AEC/18/Rev. 1 and AEC/18/Rev. 1/Corr. 1) [Department of State publication 2737].

For the second report, see *Special Supplement to Atomic Energy Commission Official Records*, second year (republication of document S/557) [Department of State publication 2932].

For the third report, see documents AEC/31, AEC/31/Corr. 1, AEC/31/Corr. 2, AEC/31/Add. 1, AEC/31/Add. 1/Corr. 1 and AEC/31/Add. 2 [Department of State publication 3179].

⁴ Documents S/PV.318, S/PV.321 and S/PV.325.

⁵ Printed materials may be secured in the United States from the International Documents Service, Columbia University Press, 2960 Broadway, New York City. Other materials (mimeographed or processed documents) may be consulted at certain designated libraries in the United States.

Ambassador when the Legation was raised to Embassy on November 19, 1943. Mr. Atherton's long mission in Canada has been marked by many notable contributions which have played an important part in the development of the close operative relationship now existing between the two countries.

Transmittal of Reports of the Atomic Energy Commission²

Note by the Secretary-General

The Secretary-General has the honour to draw the attention of the Members of the General Assembly to the following resolution adopted by the Security Council at its three hundred and twenty-fifth meeting held on 22 June 1948:

"The Security Council,

"Having received and examined the first, second and third reports of the United Nations Atomic Energy Commission,

"Directs the Secretary-General to transmit the reports of the Atomic Energy Commission, together with the record of the deliberations of the Security Council on this subject, as a matter of special concern."

In accordance with the instructions given in the resolution, the Secretary-General transmits to the Members of the General Assembly the three reports of the Atomic Energy Commission³ (the verbatim records of the three hundred and eighteenth, three hundred and twenty-first, three hundred and twenty-fifth meetings of the Security Council.⁴

Current United Nations Documents: A Selected Bibliography⁵

Atomic Energy Commission

Official Records, Third Year. No. 1. Fifteenth meeting, May 1948. 23 pp. printed. 25¢.

Economic and Social Council

Addendum to the Interim Report to the Economic and Social Council on Teaching of the Purposes and Principles, the Structure and the Activities of the United Nations in the Schools of Member States Under Resolution 137 (II) of the General Assembly of the United Nations. E/837/Add.1, July 1, 1948. 30 pp. mimeo.

Report of the Third Session of the Economic Commission for Asia and the Far East. E/839, July 1, 1948. 77 pp. mimeo.

Rapporteur's Report on the First Session of the Economic Commission for Latin America. E/840, July 9, 1948. 57 pp. mimeo.

Report of the Secretary-General on Programme Co-operation, Facilities and Liaison Arrangements with Specialized Agencies. E/842, July 9, 1948. 8 pp. mimeo.

The United States in the United Nations ¹

Palestine

The Security Council acted quickly on August 10 to bolster the Palestine truce after Count Bernadotte, the U.N. mediator, had cabled that the situation was "getting out of hand".

Adopting a resolution sponsored jointly by the United States, Great Britain, Canada, and France,² the Council warned both Jews and Arabs that they must control dissidents among them and punish the violators. Neither may violate the truce on the ground of reprisal, nor may they gain advantage politically or militarily through truce violations.

The tense situation in Palestine was heightened recently by the destruction of the Latrun water pumps, upon which Jerusalem had counted for increased water supplies. This situation was discussed in the Council on August 13 and was followed on August 18 with a statement by the United States Delegate, Philip C. Jessup, that "no one of the states concerned, no group of the states concerned, can terminate the truce."

It is the view of the United States that the truce can be terminated only by the Security Council. He maintained, contending that the Security Council on July 15 decided that "the truce shall remain in effect until the future situation in Palestine is adjusted by peaceful means."

"I am not aware of any circumstances which would incline the Security Council to revoke or modify that resolution unless it should be necessary to order measures under chapter VII against a party which repudiates the truce and resorts to war," he said.

Other Palestine developments:

U.S. Ambassador Austin on August 16 forwarded Secretary-General Trygve Lie a summary of a report given by the United States and its nationals to the UNHCR regarding the situation of the Palestinian refugees. It disclosed that from March 31, 1946, through April 30, 1948, U.S. visas were issued to 34,365 refugees, of whom 22,747 were Jewish. The United States has acted to achieve action of the International Refugee Organization which contributes \$71,000,000 a year or 45.7 percent of its budget.

The United States Government is "seriously concerned" at the "desperate plight of many Arab refugees," Austin said. He cited clothing, medicines, and other relief furnished by voluntary agencies and expressed the hope that a direct appeal from the mediator for additional supplies will be met with the traditional American generosity toward those in need.

The International Children's Emergency Fund announced that the first shipment of sup-

plies, ranging from dried milk to DDT, for Near East refugees will leave the United States by ship August 24. They are part of a \$411,000 two-month emergency program.

3. Secretary of State Marshall announced that the United States will furnish 125 additional observers for Palestine as requested by the mediator, bringing total American observer strength to 250.

4. President Truman told a press conference that no American troops, as such, will be sent to Palestine, but if the United Nations orders a police force to Palestine, in which other nations take part, the United States will furnish its share.

Trieste

Security Council rejection on August 19 of Yugoslav accusations concerning Trieste ended discussion of this problem. Only the Soviet Union and the Ukraine voted for the resolution, which sought to nullify certain agreements between the U.S.-U.K. zone of Trieste and Italy on the ground that they violate the Italian peace treaty. The other nine members abstained.

A Ukraine proposal designed to reopen the question of appointing a governor for the Free Territory of Trieste also was voted down 4 to 0 with 6 abstentions.

U.N. Headquarters Construction

The first \$25,000,000 of the authorized \$65,000,000 headquarters-construction loan will be available early in the week of August 23, Warren R. Austin, U.S. Representative to the United Nations, informed the United Nations on August 17.

Two days later Mr. Austin presided at a meeting of the U.N. Headquarters Advisory Committee, where plans were approved for beginning excavation work during September. Mr. Austin said:

"... the progress in obtaining funds for this great project has been matched by progress in the plans for construction. The site is practically cleared, and excavation for the foundation can begin within a few weeks. The cooperation of the officials of the city of New York has been an indispensable contribution to the rapid and coordinated advancement of the planning under the direction of Mr. Wallace Harrison."

¹ After this issue the BULLETIN will discontinue this weekly feature until the opening of the General Assembly in Paris on Sept. 21, 1948.

² The text of the resolution will appear in the BULLETIN of Aug. 29, 1948.

Balkan Commission Reports

The U.N. Special Committee on the Balkans reported on August 20 that aid received from Albania, Bulgaria, and Yugoslavia by the Greek guerrillas, if continued, constitutes a threat to international peace demanding continued vigilance by the United Nations.³

Formal conclusions of the Committee, which was established by the General Assembly by a resolution adopted October 21, 1947, included the following:

"It appears to the Special Committee that the Greek guerrillas have received aid and assistance from Albania, Bulgaria and Yugoslavia; that they have been furnished with war material and other supplies from those countries; that they have been allowed to use the territories of Albania, Bulgaria and Yugoslavia for tactical operations; and that after rest or medical treatment in the territories of Albania, Bulgaria and Yugoslavia, their return to Greece has been facilitated. The Special Committee further finds that moral support has been given to the guerrillas through government-controlled radio stations, the existence of the broadcasting station of the Greek guerrillas on Yugoslav soil, and the systematic organisation of aid committees. This assistance has been on such a scale that the Special Committee has concluded that it has been given with the knowledge of the Governments of Albania, Bulgaria and Yugoslavia.

"So long as events along the northern borders of Greece show that support is being given to the Greek guerrillas from Albania, Bulgaria and Yugoslavia, the Special Committee is convinced that a threat to the political independence and territorial integrity of Greece will exist, and international peace and security in the Balkans will be endangered."

The principal recommendation of the Committee is as follows:

"As long as the present disturbed conditions along the northern frontiers of Greece continue, it is, in the opinion of the Special Committee, essential that the functions of exercising vigilance with regard to the relations between Albania, Bulgaria, Yugoslavia and Greece and of endeavouring to bring about a peaceful settlement of existing tension and difficulties remain entrusted to an agency of the United Nations."

³ The report will be printed together with an introductory article in *Documents and State Papers* for September 1948.

The action of the Committee was unanimously approved by the nine member countries who actively participated in the work, except that Australia entered a reservation to the scope of authority given to observer teams along the Greek border. Other members of the Committee were Brazil, China, France, Mexico, the Netherlands, Pakistan, the United Kingdom, and the United States. Seats were held open for Poland and the Soviet Union but were never occupied.

Admiral Alan G. Kirk was the United States Representative on the Committee. Mr. Gerald Drew was Deputy Representative.

Ceylon Membership Vetoed

The Soviet Union on August 18 vetoed the application of Ceylon for membership in the United Nations. This action in the Security Council prevents the General Assembly from acting on the application when it convenes next month.

Ambassador Warren R. Austin, for the United States, was one of several of the Security Council members who spoke in favor of Ceylon.

Economic and Social Council

The Economic and Social Council is planned to adjourn its seventh session in Geneva on August 25. Its main decision was to forego consideration of three major subjects—the Vienna Convention on Freedom of Information, the Declaration on Human Rights, and the Geneva Convention—to discuss these matters in plenary session and then to transmit them to the General Assembly without recommendation.

The Council also dropped five items from its agenda, including the question of establishing an Economic Committee for the Middle East and the appointment of an Economic Board for Palestine as envisioned under the Palestine partition resolution.

A lengthy discussion of membership in the Economic Commission for Asia and the Far East concluded with adoption of an Australian resolution deciding that no action was needed at this session of the Council.

Major debate in plenary session centered around the report of the International Labor Organization, with the Soviet Delegate attacking its report and offering a resolution to increase labor representation within the organization. Willem Thorp, the U.S. Delegate, counterattacked with a historical analysis disproving Marxist theories. He explained the safeguards of free labor in the United States and expressed a hope that the world would show more concern for the worker in countries where the only employer is the government.

THE RECORD OF THE WEEK

Labor's Role in the European Recovery Program

BY PAUL H. NITZE¹

Deputy to the Assistant Secretary for Economic Affairs

o policy of the United States, within my recollection, has had such extensive public discussion as it was adopted, and to none has the labor movement of this country contributed as fully as the European Recovery Program. You will recall the main steps. The major labor organizations were quick to realize the importance of the idea when the Secretary of State put forth at Harvard a few months ago in the short epoch-making speech which laid the basis for the Marshall Plan. At the conventions of the AF of L and the CIO last year, both organizations declared their support and their desire to contribute to the European Recovery Program. Secretary Marshall's speech at the CIO convention was a recognition of all labor's place in the Recovery Program. On the Harriman Committee—the President's Committee on Foreign Aid—to advise both the Administration and Congress on general public policy—the representatives of labor played a large part. Understanding the feelings of the self-respecting mass of the European workers, they did much to bring about the Harriman Committee's clear-cut recommendation against attaching any political strings to American aid. In the public debate which continued over many months and in the exhaustive congressional hearings on the legislation and appropriation for European recovery, the representatives of organized labor played a broad-gauged and constructive role. They did a great deal to clarify public thinking, not only in labor circles but throughout the community. Now that the Program has been enacted, labor is playing a large part in its administration—but to that I wish to come later.

The aims of the Recovery Program cannot help being close to the heart and mind of American labor. Labor has a vital stake in the humanitarian aspects, in the economic necessity, and in the political aspects which are the reasons for the Recovery Program. Let us consider each of those for a moment. Labor shares the generosity of inspiration of the Recovery Program. Trade-unionists have been contributing generously to foreign relief and re-

habilitation. They have given to the general relief funds to help the war-torn countries who first stood up against the Nazi menace. And they have given to the special relief funds for the trade-union victims of Fascism, the underground trade-union movements in occupied Europe, and the reborn free-labor movements. They are now helping the organizations of labor in France, Italy, and Germany which are on the firing line of liberty against another form of enslavement.

Labor is also aware of the economic necessity for the Recovery Program. "Poverty anywhere constitutes a danger to prosperity everywhere", as the Philadelphia charter adopted by the International Labor Conference of 1944 stated. Labor generally knows that the maintenance of our high levels of economic activity and the chances of keeping and broadening our national prosperity depend upon the revival of active world trade and the increase of the world's prosperity.

This broad general interest is sometimes lost sight of in the shuffle of immediate special interests. Some labor spokesmen may still be isolationists in their economic thinking and may still hope to achieve prosperity behind high tariff walls—just as some businessmen and farmers do. That is probably unavoidable, and the reconciliation of these special interests with the community interest is one of the tasks of a democracy. Most of the labor movement, however, realizes it has a direct economic stake in restoring Europe's physical plant. Labor knows that only by such restoration can Europe support itself out of its own work and sell its products to other countries, including our own. For working people to build barriers against the products of another people's work is a concept which is losing its appeal to thinking people in the labor movement.

The political aims of the European Recovery

¹ Excerpts from an address made before the Philadelphia Labor Education Association at Pendle Hill, Pa., on Aug. 15, 1948, and released to the press on the same date.

Program are the aims which the labor movement—all but a small minority of the American labor movement—has already set for itself. Those aims are democracy and peace. We need not be self-conscious about stating great aims for a great program.

Economic recovery alone will not guarantee the survival of democracy in Europe—but without economic recovery, democracy has little chance to survive against its enemies on the extreme left and right. Similarly, democracy alone will not guarantee the peace in Europe and the world—but without democracy in western Europe, there is little chance to keep the peace.

The fight for democracy is no new fight in the long history of the working people. It is, in a sense, the history of the labor movement, of its best aspirations and of its deepest needs. Like all great aspirations, there have been departures from it and many crimes committed in its name. But the workers themselves have generally recognized these betrayals. In Europe and the United States today the overwhelming majority of labor's rank and file and labor's leaders realize that any totalitarianism, whatever its color and whatever its calculated misuse of the name of labor, is fatal to the rights of labor.

The Cominform has chosen to make its greatest fight against the Recovery Program among the working class of Europe. Democratic labor has accepted this challenge. And the workers of Europe have shown their political maturity, despite all the hardships of daily living, despite all the hope of better things too long deferred after the war's end, and despite the uncertainties of democratic political life. During the past year the workers of Italy have rejected Communist appeals to violence; the workers of France have refused to stay out on political strikes at the bidding of Communist leaders; the workers of Western Germany and of Berlin have refused to bow to Communist intimidation.

Where democracy is at stake, peace is at stake. Peace is a crusade upon which the labor movements of the world have long been embarked. Let us be frank about the methods of this great crusade. Labor has often sought peace by methods too sentimental and soft-headed. Pious declarations have been sometimes substituted for hard thinking, and pacifist talk has been substituted for the work of international organization. But labor has shared these lapses into sentimentality with the rest of the community. If the labor movements have been led into wars of aggression, at least they have not been the leaders. We are all somewhat harder headed today in the search for peace than we were a decade or a generation ago. I have the strong impression that American labor is not going to allow the banner of peace to become a monopoly in the hands of self-appointed Mes-

siahs whose chief qualification is innocence or the cynical party-liners who generally manage to surround the innocents.

Peace requires economically self-supporting nations with decent standards of living. United Nations can work, in the long run, only if its members are healthy enough to stand on their own feet. But peace and self-support also require that these nations cooperate among themselves. That means international organization and habit of a greater economic and political cooperation than we have yet seen.

Labor has a great stake in and a great responsibility for furthering peaceful and creative international organization, along both economic and political lines. Labor, in this country and abroad, has long recognized the common cause of men and good will everywhere. This takes an effort of imagination in this country, which is the size of a continent. But the effort is being made, and the old isolationist shell has been cracked. In European history and geography and a noble ideal have stimulated working people to try to transcend national barriers by the international organization of labor itself and by the support of world peace efforts by the governments. Some of the recent effort at international trade-union federation has been nullified by the politics of the totalitarianism. Nevertheless, the ideal remains strong among all the democratic labor groups of England and the Continent. Here and in Europe labor increasingly realizes its stake in closer economic and political collaboration.

This economic and political collaboration is what the Recovery Program gives Europe the opportunity and the impetus to achieve. This is what the Organization for European Economic Cooperation, which is now taking on shape and staff and spirit at Paris, makes it possible for the 16 nations of the ERP to do. This is what the Brussels Pact of the United Kingdom, France, Belgium, Luxembourg, and the Netherlands seek to do in both the economic and political realm and what the recent Vandenberg resolution of the United States Senate seeks to encourage by American association with such regional efforts. These efforts and to the whole idea of international cooperation labor can give great support. It remains true to the best tradition of its history of international-mindedness. It took a long step in that direction by the creation, in March of this year, of the ERP Trade Union Advisory Committee, which brings together all the democratic labor organizations of Europe and the AF of L, CIO, and railway labor organizations.

The difficulties in the way are enormous. Labor leaders in Europe are already tackling some of these difficulties. They have begun talks on wage differentials and price differentials between countries with competitive industries. They are

ing plans of industrial development among neighboring countries so as to replace the old dependence for self-sufficiency with more efficient production through specialized industries which can produce more cheaply for wider markets. They are doing what they can to reduce the economic and psychological barriers in the way of emigration of workers from areas of labor surplus to countries of manpower shortages. These and a hundred other real difficulties they face. But the needs for labor and the whole community in the solution of these problems are nothing less than vital. They are vital in the literal sense of the word—economic life and growth, individual liberty, and political survival.

We have been talking about both European and American labor. American labor has a special role and a special responsibility in the success of the Recovery Program. It is impossible to exaggerate the importance to Europe of the support and participation which American labor organizations have brought to the Program. They have been all the more effective because the labor organizations have been united in their work for ERP. In Europe, representatives of the CIO and AF of L and railway labor have worked together as spokesmen for American labor. Their work has been a major element in gaining the support of European labor for the Recovery Program. And we know that without that support there can be no real recovery.

Europe needs to make a productive effort now equal to the effort which this country made in utilizing its war production between 1940 and 1945. The American war-production record would have been inconceivable without the wholehearted support of American labor. So the European production program is inconceivable without a wide measure of support among the workers of Europe. Perhaps you will think that European workers could have naturally and unquestionably embraced the program of American aid without which their national economic recovery would be more difficult, if not impossible. But there are many misconceptions about the United States current in Europe. It was at first hard for many Europeans to understand the combination of genuine unselfishness and farsighted self-interest which prompted the offer that Secretary Marshall made in June 1947. For years the Nazis, and now the communists, repeated the same half-true phrases about the capitalist United States and made the same false charges about American economic imperialism, so that people in Europe did not

all immediately and naturally understand our purposes.

Differences between European poverty and American wealth have made mutual understanding hard. Differences between countries that were bombed and a country that was spared bombing, differences between sensitive people who suffered German occupation and this country which knew no occupation—all these make understanding of our aims harder. American labor's participation in the ERP has had a profound significance in showing European people that the program will never be used by us to do what the Cominform says we want to do, that is, turn Europe into a colony of the United States. To 100 million European workers the part which American labor plays in the program is a guarantee that we mean it when we say that we do not wish to infringe on the political independence of Europe's nations.

European workers are being told that the Marshall Plan is an instrument which will be utilized to impose upon them a system of what the Soviets refer to as monopoly-capitalism under which they would have no opportunity to acquire a decent existence for themselves and their families. It falls primarily upon American labor organizations and particularly the representatives of labor who are participating in the program abroad to point out the many benefits which our workers enjoy and the immense strides which labor in America has made toward gaining an independent and respected position in our society. European workers must be convinced that when they reject the tyranny of Communism they are not merely putting themselves under a different tyranny.

Another responsibility which American labor has is to aid in the development of increased productivity and increased efficiency of industry in Europe. Our labor people do not assume airs of inherent American superiority; they do not seek to dictate methods of work to people of other countries working with different machines under different conditions. But we do happen to have an industrial plant which during the war was enlarged and improved—not under-maintained, plundered, and damaged, as were Europe's factories and machines. We have a great industrial organization and high productivity in many of the industries most important in reconstruction. American labor's representatives, therefore, may be able to share some of the experience they have in the increase of productivity, some of their ideas on industrial organization, on methods, and processes with both European labor and management.

Policy Toward New Korean Government

[Released to the press August 12]

In the Joint Declaration issued at Cairo on December 1, 1943, the three subscribing powers—the United States, China, and Great Britain—expressed their determination “that in due course Korea shall become free and independent”. This determination was reaffirmed in the Potsdam Declaration of July 26, 1945, with which the Soviet Union associated itself upon its declaration of war against Japan on August 8 of that year. On December 27, 1945, in Moscow the Foreign Ministers of the Soviet Union, the United States, and Great Britain concluded an agreement, later adhered to by the Government of China, designed to re-establish Korea as an independent state.

Although the annexation of Korea by Japan was effectively terminated with the occupation of that country by the armed forces of the Soviet Union and the United States in August and September 1945, the freedom and independence of Korea so solemnly pledged by the Four Powers have proved slow of realization. After nearly two years of painstaking but unavailing effort to give effect to those pledges through negotiations with the other occupying power, the United States Government, on September 17, 1947, laid the problem of Korean independence before the General Assembly of the United Nations. The will of an overwhelming majority of that body was expressed in two resolutions adopted by it on November 14, 1947, the purpose of which was to make it possible for the Korean people to attain their long-sought freedom and independence through the holding of free and democratic elections and the establishment, on the basis thereof, of a national government.

In pursuance of those resolutions, elections were held in Korea on May 10 of this year, under the observation of the United Nations Temporary Commission on Korea, for the purpose of electing representatives to a National Assembly which might in turn form a national government. The National Assembly so elected convened on May 31 and has proceeded to form a government—a government in which it is hoped that the people of north Korea, who were prevented from participating in the May 10 elections by the refusal of the Soviet Union to permit the implementation of the General Assembly resolutions in its zone of occupation, will be free in due course to assume their rightful role. Notification of the formation of the new government was communicated to the United Nations Temporary Commission on Korea on August 6, 1948.

It is the view of the United States Government that the Korean Government so established is entitled to be regarded as the Government of Korea envisaged by the General Assembly resolution of November 14, 1947. Pending consideration by the General Assembly at its forthcoming Third Session of the report of the United Nations Temporary Commission on Korea, the United States, pursuant to its responsibility as occupying power, is sending to Seoul a special representative who will be authorized to carry on negotiations with that Government, in consultation with the United Nations Temporary Commission on Korea, concerning the implementation of the further provisions set forth in paragraph 4 of the second of the General Assembly resolutions of November 14, 1947. As such special representative the President has named John J. Muccio of Rhode Island, who will have the personal rank of Ambassador.

United States Advisory Commission on Information Appointed

The President on August 9 announced the appointment of the United States Advisory Commission on Information as required by Public Law 80th Congress (United States Information Educational Exchange Act of 1948).

Members of the Commission, chosen to represent the public interest, come from a cross section of professional, business, and public-service backgrounds and are as follows:

Mark Ethridge, *Chairman*, Publisher, *Louisville Courier-Journal*, Louisville, Ky.
Mark A. May, Director, Institute of Human Relations, University, New Haven, Conn.
Justin Miller, President, National Association of Broadcasters, Los Angeles, Calif.
Philip D. Reed, Chairman, General Electric Company, New York, N. Y.
Erwin D. Canham, Editor, *Christian Science Monitor*, President, American Society of Newspaper Editors, Boston, Mass.

The Advisory Commission is charged with responsibility for formulating and recommending to the Secretary of State informational policies and programs to promote a better understanding of the United States in other countries and to increase mutual understanding between the people of the United States and the peoples of other countries.

Report on Monetary and Financial Problems

PRESIDENT'S MESSAGE TO THE CONGRESS

[Released to the press by the White House August 4]

to the Congress of the United States:

I transmit herewith a Report of the National Advisory Council on International Monetary and Financial Problems¹ covering its operations from October 1, 1947 to March 31, 1948, and describing in accordance with Section 4 (b) (5) of the Bretton-Woods Agreements Act, the participation of the United States in the International Monetary Fund and the International Bank for Reconstruction and Development for the above period.

Previous reports of the National Advisory Council were transmitted to the Congress on March 16, March 8, 1946, January 13, 1947, June 26,

1947, January 20, 1948 and May 18, 1948, respectively. In addition to the First Special Report on the Operations and Policies of the International Monetary Fund and the International Bank for Reconstruction and Development, submitted on May 18, 1948, previous reports on the participation of the United States in the International Monetary Fund and the International Bank were included in the reports of January 13, 1947, June 26, 1947 and January 20, 1948, respectively.

HARRY S. TRUMAN.

THE WHITE HOUSE
August 3, 1948

SUMMARY OF THE REPORT

[Released to the press by the Treasury Department August 4]

The report analyzes the major financial problems of the postwar period and describes the background of the Foreign Assistance Act of 1948.

The report also deals with recent developments in connection with the Anglo-American financial agreement and credits extended by the United States Government agencies such as the Export-Import Bank, as well as with considerations concerning the extension of financial assistance to Germany, to the German Bizone and to France, Italy, Austria in the form of interim aid. A résumé of the affairs of the International Monetary Fund and the International Bank for Reconstruction and Development is given for the six-month period from October 1, 1947, to March 31, 1948.

In its review of the postwar international financial situation the Council pointed out that by the middle of 1945 it had become clear that many foreign countries would urgently need assistance for the reconstruction of their economies. In addition to widespread physical damage, the war produced serious economic dislocations. The report points out the difficulties in connection with the balance of payments between these countries and the United States. In the two and one-half year period ending December 31, 1947, foreign countries received a total of \$41,600,000,000 in goods and services from the United States while their exports to this country were only \$19,200,000,000. Foreign-aid programs of the United States provided \$14,600,000,000 and the countries used \$5,000,000,000 of their gold and dollar reserves.

As pointed out in the report, a total of \$18,200,000,000 of United States assistance was made available during the two and one-half year period of which all but \$3,600,000,000 was utilized by the end of the period. Despite the fact that more than one half of all United States foreign aid was received by those countries which later became participants in the European Recovery Program, the unutilized funds as of December 31, 1947, were barely sufficient to meet the need for aid until the start of that program.

During the first year of United States postwar aid, assistance was primarily in the form of grants such as those extended through UNRRA, while in the next year and a half assistance was mostly in the form of loans. Over the entire period slightly more than one half of all aid was in loans while the remainder constituted grants.

A comprehensive appendix of statistical tables summarizing the United States foreign-assistance program since July 1945 is contained in the report. These tables not only show the amounts made available to each recipient country but also, in the case of loans, the total postwar commitments made by the major United States Government lending agencies to each foreign country. With this report the United States Government has resumed publication of information on gold transactions with leading countries which was discontinued during the war.

¹ Treasury Department publication S-804.

U.S. Delegation to Photogrammetry Congress

The Department of State announced on August 9 the composition of the United States Delegation to the Sixth International Photogrammetry Congress and Exhibition scheduled to be held at The Hague, September 1-10, 1948. The United States Delegation is as follows:

Chairman:

Oliver S. Reading, Chief, Section of Research, Division of Photogrammetry, U. S. Coast and Geodetic Survey, Department of Commerce.

Delegates:

Talbert Abrams, President, Abrams Industries, Lansing, Mich.

Earl Church, Professor of Photogrammetry, Syracuse University, Syracuse, N. Y.

William C. Cude, Chief, Technical Division V, Engineer Research and Development Laboratories, Fort Belvoir, Va.

James J. Deeg, Chief, Mapping and Charting Section, Photographic Laboratory, Air Matériel Command, Department of the Air Force.

Lewis A. Dickerson, Chief, Photogrammetric Division, Army Map Service, Department of the Army.

Leon T. Eliel, Vice President, Fairchild Aerial Surveys, Los Angeles, Calif.

George H. Harding, Supervisor for Astronomy, Geodesy, and Photogrammetry, Ohio State University Research Foundation, Columbus, Ohio.

Col. Charles P. Hollstein, Chief of Staff, 311 Air Division Reconnaissance, Department of the Air Force.

Virgil Kauffman, President, Aero Service Corporation, Philadelphia, Pa.

Robert H. Kingsley, Chief, Photogrammetry Division, Aeronautical Chart Service, Department of the Air Force.

Col. John G. Ladd, Chief of Engineer Intelligence Division, Office of the Chief of Engineers, Department of the Army.

Edmond S. Massie, Jr., Assistant Chief, Aerial Photography and Mapping Section, Forest Service, Department of Agriculture; President, American Society of Photogrammetry.

G. Carper Tewinkel, Assistant Chief, Section of Research, Division of Photogrammetry, U. S. Coast and Geodetic Survey, Department of Commerce.

The purpose of the Congress and Exhibition is to examine photogrammetric developments with particular emphasis upon the application of the photogrammetric system in such fields as topographic survey work, architecture, surgery, ballistics, and criminology. The subjects to be considered at the meeting will include: photography and its techniques (including electronic methods); plotting (theory, means, and results); aerial triangulation and its application in geodesy (including electronic methods); application of photogrammetry and aerial photography for surveying the earth's surface; application of photogrammetry in various spheres; application of photogrammetry in medicine; and training, terminology, and bibliography.

The Fifth Congress and Exhibition was held at Rome September 24-October 10, 1938.

Soviet Draft Convention—Continued from page 22

for longer term economic development. For the present and the immediate future, moreover, the United States has direct concern with Danube navigation in Austria and Germany through which the navigable Danube flows. That section of the river, under both the Soviet and the American draft, would come under the jurisdiction of the Danube Commission. But of course a Commission in which a riparian authority had no voice could not exercise that jurisdiction in Germany.

In presenting the amendment the United States is more concerned with the principle of nonriparian representation on the commission than with insisting on the inclusion of particular states. It wishes to point out that the United States does not insist on being a permanent member of the commission. At such time as Austria and Germany become members, and provisions are made for adequate nonriparian representation, the United States would be prepared to give up its place on the commission. Three nonriparian states represented at this conference are not the only ones with an interest in freedom of navigation on the Danube. The Danube is important to European recovery and world trade. These interests should have proper representation on the proposed Danube Commission along with the more direct interests of the riparian states.

I come now to the second paragraph of the United States amendment:

"Germany shall be admitted to full equal membership on the Danube River Commission upon entry into force of the treaty of peace with Germany, many or before that time by agreement between the states parties to the present convention."

It seems beyond contradiction that Germany is an important riparian state which, when it returns to the community of nations, should have a seat on the Danube Commission. Should that be denied, the commission could hardly obtain from Germany the cooperation necessary for an international regime to function along the entire navigable length of the river.

The logical time for Germany to be admitted would be the date of entry into force of the peace treaty with Germany. In order to maintain flexibility, we have included also a provision that an earlier date might be set by agreement among the states parties to the Danube convention.

THE FOREIGN SERVICE**Consular Officers**

The consulate at Marseille, France, was raised to the rank of Consulate General, effective August 16, 1948.

President-Elect of Cuba to Visit U.S.

[Released to the press by the White House August 12]

The President announced on August 12 that Dr. Fulgencio Batista, President-elect of Cuba, has accepted an invitation to visit the United States. Dr. Batista and Señora de Batista are expected to arrive here during the latter half of November and will be guests of the President and Mrs. Truman. Dr. Batista will be inaugurated on October 10 as President of Cuba.

The President stated that he was eager to meet Dr. Batista personally and looked forward to extending him a most cordial welcome to the United States.

American Officials To Attend Inaugural Ceremonies for President of Paraguay

[Released to the press on August 10]

The Department of State announced on August 10 the appointment of Fletcher Warren, United States Ambassador to Paraguay, as Special Representative of President Truman for the inauguration on August 15, 1948, of Natalicio J. Gonzalez, President of Paraguay.

The following have been named aides to Ambassador Warren for this occasion: Foreign Service Officer Archibald R. Randolph, Second Secretary; Captain Ranson Fullinwider, Naval Attaché at Montevideo and Buenos Aires, Naval Aide; Lieutenant Colonel Donald L. Durfee, Assistant Military Attaché at Rio de Janeiro, Army Aide; Major Samuel J. Skousen, Military Air Attaché at Montevideo, Air Force Aide; and Foreign Service Officer Henry A. Hoyt, Second Secretary.

Caribbean Commission Agreement Enters Force

[Released to the press August 13]

The agreement for the establishment of the Caribbean Commission, signed at Washington on October 30, 1946, on behalf of the United States, France, the Netherlands, and the United Kingdom Great Britain and Northern Ireland, entered into force on August 6, 1948, upon the deposit of the United States Government of the notice of approval of the agreement by the Government of the Netherlands.¹ Notices of approval of the agreement had been deposited previously by the other three signatory Governments.

BULLETIN of Nov. 17, 1946, p. 920, and Mar. 14, 1948, p. 1.

August 22, 1948

Procedure for Filing War Claims for Looted Property in Japan

[Released to the press August 9]

The Department of State on August 9 warned persons who lost property by looting from areas occupied by the Japanese to file promptly claims for the recovery of such property. It was pointed out that substantial quantities of unidentified loot have been located in Japan for which no claims have been filed and that unless valid claims are forthcoming such property may be liquidated. Department officials also pointed out that under existing directives SCAP is not required to accept claims for restitution of property after March 1949 except claims with respect to property which has not been identified by that date.

In general, claims for restitution should be filed with the present government of the area from which the property was looted. The Department of State is prepared to accept such claims on behalf of United States nationals for forwarding to the appropriate foreign government. Claims should describe the property as fully as possible to facilitate its identification, should state the circumstances under which it disappeared, and should be accompanied by proof of ownership.

UNRRA Reports Submitted to Congress

On August 13, 1948, the President transmitted to the Congress the Thirteenth, Fourteenth, and Fifteenth Quarterly Reports of expenditures and operations under the United Nations Relief and Rehabilitation Administration Joint Resolution, Public Law 267, 78th Congress, approved March 28, 1944 (58 Stat. 122). These reports cover the periods from July 1, 1947, through September 30, 1947; from October 1, 1947, through December 31, 1947; and from January 1, 1948, through March 31, 1948.

As a consequence of the substantial closure of the United Nations Relief and Rehabilitation Administration's activities on June 30, 1947, these reports are limited to a statement of the status of United States appropriations as of December 31, 1947.

U. S. Engineer Awarded Grant-in-Aid

S. S. Steinberg, dean of the school of engineering of the University of Maryland, has been awarded a grant-in-aid by the Department of State to enable him to complete a survey of engineering schools in the other American republics which he began in 1945 under the Department's travel-grant program.

Supplemental Appropriation Request for Displaced Persons Commission

The President submitted to Congress on August 2 supplemental estimates of appropriations for the fiscal year 1949 totaling \$11,305,800.

The funds requested are limited almost entirely to two categories: (1) to implement legislation enacted just prior to the congressional recess in June for which no funds were appropriated; and (2) to provide additional funds in cases where available funds were inadequate to carry out the intent of the laws enacted by the present Congress.

The President's recommendations include \$6,000,000 for the Federal Security Agency; \$3,075,800 for the Civil Service Commission; \$2,000,000 for the Displaced Persons Commission; \$100,000 for the Motor Carrier Claims Commission; and \$130,000 for the Bureau of Mines.

The \$2,000,000 supplemental request for the Displaced Persons Commission is to enable the Commission to inaugurate operations on a scale which will permit an annual average of 100,000 displaced persons to immigrate to the United States. While an initial appropriation of \$2,000,000 has been made, that amount is insufficient to enable the Commission to function at a speed which will assure the movement of displaced persons at the rate contemplated in the Displaced Persons Act of 1948. Unless additional funds are made available, there will be a material reduction in the number of displaced persons who can be brought to the United States during the fiscal year 1949.

Addresses on UNESCO and the Danube Conference

On July 23, Assistant Secretary Norton was interviewed by Leif Eid over the National Broadcasting Company regarding the Conference To Consider Free Navigation of the Danube; for the text of this broadcast, see Department of State press release 604 of July 23, 1948.

On July 29, Charles A. Thomson, Executive Secretary of the U.S. National Commission for UNESCO, made an address on UNESCO at Virginia

Polytechnic Institute, Blacksburg, Va.; for text of this address see Department of State press release 610 of July 29, 1948.

PUBLICATIONS

Department of State

For sale by the Superintendent of Documents, Government Printing Office, Washington 25, D. C. Address requests direct to the Superintendent of Documents, except in case of free publications, which may be obtained from the Department of State.

Reciprocal Trade. Treaties and Other International Acts Series 1703. Pub. 3065. 19 pp. 10¢.

Exclusive Agreement Between the United States and Cuba; Supplementing the General Agreement on Tariffs and Trade of Oct. 30, 1947—Signed at Geneva Oct. 30, 1947; effective Jan. 1, 1948; and supplementary arrangements.

Canol Project: Disposal of Crude Oil Facilities. Treaties and Other International Acts Series 1697. Pub. 3066. 7 pp. 5¢.

Arrangement Between the United States and Canada; Effectuated by exchange of notes signed at Ottawa on Oct. 7 and Dec. 30, 1946; entered into force Dec. 30, 1946; effective Mar. 1, 1947; and exchange of notes signed Mar. 5 and 6, 1947.

Restitution of Monetary Gold. Treaties and Other International Acts Series 1707. Pub. 3078. 5 pp. 5¢.

Protocol Between the United States, the United Kingdom of Great Britain and Northern Ireland, France and Italy—Signed at London Dec. 16, 1946; entered into force Dec. 16, 1947, effective September 1, 1947.

American Dead in World War II. Treaties and Other International Acts Series 1713. Pub. 3092. 6 pp. 5¢.

Agreement Between the United States and Italy; Effectuated by exchange of *notes verbales* dated at Rome Sept. 13 and 24, 1946; entered into force Sept. 24, 1946.

Foreign Service List [Abridged], April 1, 1948. Pub. 3088. 85 pp. 30¢ a copy; \$1.50 a year domestic, \$2.00 a year foreign.

Lists officers in the American Foreign Service, their classification, assignments, etc.

National Commission News, August 1, 1948. Pub. 3089. 10 pp. 10¢ a copy; \$1 a year domestic, \$1.35 a year foreign.

Prepared monthly for the United Nations Educational, Scientific and Cultural Organization.

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Bulletin

Vol. XIX, No. 478

August 29, 1948

**U.S. REJECTS SOVIET CHARGES CONCERNING
REFUSAL OF TWO RUSSIAN TEACHERS TO
RETURN TO SOVIET UNION:**

**Correspondence Relating to Samarin and Kasenkina
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The Department of State bulletin

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Publications of the Department, as well as legislative material in the field of international relations, are listed currently.

REJECTS SOVIET CHARGES CONCERNING REFUSAL OF TWO RUSSIAN TEACHERS TO RETURN TO SOVIET UNION

Signature of Soviet Consul General at New York Revoked

NOTE OF THE DEPARTMENT OF STATE TO THE EMBASSY OF THE U.S.S.R.

Department of State on August 20 released publication the text of a note to the Embassy of the Union of Soviet Socialist Republics, delivered to the Soviet Embassy, Thursday, August 19, with reference to notes of August 9, 1948, August 14, 1948, of the Embassy of the Union of Soviet Socialist Republics and to the note which Mr. Molotov handed to Ambassador Smith in Moscow on the night of August 11, 1948, with reference to Mrs. Oksana S. Kasenkina and to Mikhail I. Samarin, his wife, and three children

[Released to the press August 20]

Department of State refers to the notes No. 147 of August 9, 1948, and No. 148 of August 14, 1948, of the Embassy of the Union of Soviet Socialist Republics and to the note which Mr. Molotov handed to Ambassador Smith in Moscow on the night of August 11, 1948 with reference to Mrs. Oksana S. Kasenkina and to Mikhail I. Samarin, his wife and three children.

These communications and in the representations which the Ambassador has made to the Secretary of State, as well as in statements which have been made to the press by the Ambassador and Mr. Jacob Lomakin, the Soviet Consul General in New York City, charges of the serious nature are made not only against individuals in this country, but also against the Government of the United States and state and local officials. The reports of the investigation made by the competent United States authorities which have been received by the Department

of State not only clearly demonstrate that these charges are unsubstantiated, but also indicate that officials of the Soviet Government have been engaged in conduct which is highly improper. The United States Government must categorically reject the charges and insinuations contained in these notes which have been found to be at complete variance with the facts. In this connection the Department of State desires to inform the Embassy of the Union of Soviet Socialist Republics as follows:

Mikhail I. Samarin

According to reports of the investigation made by the competent authorities Mikhail Samarin voluntarily appeared at the office of the Federal Bureau of Investigation in New York and stated he did not wish to return to the Soviet Union but desired to remain in the United States. After making this statement he left the office of the Federal Bureau of Investigation without leaving an address. He then made a statement to *The New York Times*,¹ which was published in that news-

¹ Following is the statement made on Aug. 10, 1948, to the *New York Times* by Mikhail Ivanovich Samarin:

I know that the Soviet Government and their representatives here will do their best to discredit my statement and my actions, and attempt, before public opinion, to make me appear as a traitor to my country, like a Fascist and a White Russian, but I don't pay attention to what they think.

Footnote continued on page 252

paper on August 10, 1948, corroborating his statement to the Federal Bureau of Investigation. It is clear that Mr. Samarin is acting on his own volition, and that he is free to get in touch with the Soviet Consulate General or the Soviet Embassy at any time he wishes. No information has been produced to substantiate the allegation contained in the Embassy's note of August 9 that Mr. Samarin and his family were forcibly removed from their apartment.

In the note which Mr. Molotov handed to Ambassador Smith on August 11, it was stated:

"On the tenth of August Under Secretary of State Lovett corroborated to the Soviet Ambassador in Washington that Samarin had been made subject to examination by the Federal Bureau of

(Footnote continued from page 251)

I don't mind what the Soviet Government will do or say and I decided to speak openly. Because of my family I am making this statement voluntarily. I don't wish to go back to the Soviet Union and am placing myself under the protection of the American Government and American public opinion.

I was born in 1908 in Moscow Province and graduated from the Pedagogical Institute in Moscow in 1935. Afterward I taught in several Moscow high schools from 1935 to 1941. At the beginning of the war I was mobilized by the army; I was a soldier in October, 1942, on the Stalingrad front.

I was fighting for my family and my people up to February, 1943, as a private. I was not fighting against Germany for the Soviet regime; I was fighting for my country. After the Stalingrad victory I was on the front before Kursk and in April, 1943, I was wounded and sent to a military hospital.

In November, 1943, the Soviet Government sent me to Washington, D. C., for a job as director and teacher of the Soviet Embassy School. With me came my wife, Klaudia, also my daughter, Helen, 8 years old.

In July, 1946, I was transferred to the Soviet School in New York, where I was a teacher up to the close of the school in July, 1948. In July, 1947, during my work in New York, my wife gave birth to twins, a boy and a girl.

During the period when I was working in the school I performed my duties faithfully as a teacher and gave my best efforts for the advancement of my pupils. During this time I did not indulge in any political activity and was never a member of the Communist party.

My parents were peasant farmers. Before I went to school I worked in a factory, a textile factory. When I was fighting for my country against Fascist Germany I saw lots of sacrifices by the Russian people and came to the conclusion that, during the war, the Soviet Government was not prepared economically and militarily.

During my life in Soviet Russia I had the opportunity

Investigation which thus is found to be correct with the organization which kidnapped Samarin, his wife and three children."

The Ambassador will recall that on the occasion referred to the Under Secretary merely showed a press clipping to the effect that Mr. Samarin voluntarily visited the New York Office of the Federal Bureau of Investigation. This information does not in any way support the allegation that there is any connection between the organization referred to in the Soviet Government's note as the Tolstoy Fund (presumably Tolstoy Foundation) and the Federal Bureau of Investigation, and this Government must categorically deny any such connection exists. Moreover, the Government has no information which would

to observe the economic and political conditions which my people live. I observed the policies of the Communist party, and its operations, and realized their machinery was operating against the interests of my people.

During the war I, myself, like many others, had the idea that after the war the Soviet Government would give us a better life, politically and economically, a freedom. But this was a great mistake—it did not happen. For this reason during my stay in the United States I decided not to return to the Soviet Union.

I don't like to sacrifice myself, my wife or my children for the interests of the Communist regime.

During my work here in the United States I was convinced that the foreign policy of the Soviet Government was seeking for us the sympathy of the outside world, and at this point I felt that the foreign policy of the Kremlin was creating the atmosphere for a new war. I realized that the party, police and Government machinery of the Soviet Union were operating against the best interests of my country and my people.

This time, if war happens, it will not be between the Soviet Union and fascism but between the Soviet Union and the democracies of Europe and the democracies of the United States.

During my life in the United States I recognized that the Soviet Government inculcated their people with a misunderstanding and hatred of the American people. After school closed I decided not to return to Russia because of the foregoing reasons.

I was never a professional politician. I was in the United States in making this statement only by my conscience and my motives, as well as my duty to my family. All I want now is peace between our countries and a better life for my people and for myself. Like any individual I want to devote myself to a modest life for my family.

I have no desire for publicity, but after what happened when I was pursued by Soviet powers, I decided to make this statement.

statement that the Tolstoy Foundation is engaged in criminal activity as alleged in the Embassy's note.

Oksana S. Kasenkina

Reports of the competent United States authorities show that Oksana Kasenkina on July 14, 1948 informed the editor of a Russian language newspaper in New York City that she did not intend to return to the Soviet Union. Through him arrangements were made for her to go to Reed Valley Cottage, New York which she did take a public autobus on July 31. According to her statements, which are corroborated by the testimony of a number of persons, she went to the cottage voluntarily and stayed there of her own free will. She has stated that she wrote to the Consul General in New York informing him that she was there but she denies stating that she had been kidnapped. The full text of her letter has been made available to the competent United States authorities although its production would have facilitated investigation of the charges made in the Embassy's note and it would be appreciated if a photostatic copy were furnished to this Department. This Department would also like to have a photostatic copy of the letter which the New York police authorities found in Mrs. Kasenkina's room at the Consulate General and which was returned to the Consulate General unopened. It was ascertained that she had jumped from the window of the Consulate.

Kasenkina has further stated that the newspaper which she gave to the press on August 14, 1948, was arranged by the Consulate General and that she was instructed to make false statements to the press that she had been kidnapped.

Kasenkina was interviewed at the hospital by the Consul Chepurnykh. As the Ambassador advised on August 14, should she desire to see her Soviet official she is completely free to do so but this Government will not compel her to do so or will it turn her over against her will to Soviet authorities. This Government recognizes the right of Soviet officials in the United States to take appropriate measures for the protection of the rights of Soviet citizens. Such Soviet officials are, however, themselves entitled to the protection of the applicable laws of the United States and the Government of the United States does not permit the exercise within the United States of the police power of any foreign government.

29, 1948

With reference to the Embassy's note of August 14, 1948 complaining of actions of the New York police authorities, this Department is informed that after Mrs. Kasenkina had jumped from a window of the Consulate General on August 12, 1948, Consul General Lomakin agreed to the suggestion of police officers that they inspect Mrs. Kasenkina's room, as well as the room from which she jumped. This inspection was carried out in the presence of the Consul General. In view of the circumstances, the Department of State considers the actions of the New York police authorities entirely proper.

From the foregoing it appears that the representations of the Soviet Government in regard to these cases have been based upon misinformation. In this connection the reports submitted to the Department of State show that the Soviet Consul General in New York, Mr. Y. I. Lomakin, after having made statements which were the basis of the serious charges against this Government and its officials, hindered the investigation of the competent police officials by refusing to allow them to interview Mrs. Kasenkina. This action was the more serious in view of the subsequent statements by Mrs. Kasenkina to the effect that she jumped from the window of the Consulate General in order to avoid having to return to the Soviet Union. In addition to the statement made by Mrs. Kasenkina that she was compelled to make in a press interview false statements which had been dictated to her, the Consul General has himself made or issued statements to the press which, in view of all the evidence available, the Department of State can only conclude were deliberately designed to mislead the American public in regard to a serious charge involving the United States Government. The United States Government considers that Consul General Lomakin's conduct constitutes an abuse of the prerogatives of his position and a gross violation of the internationally accepted standards governing the conduct of foreign officials.

The Department of State is therefore requesting the President to revoke the exequatur issued to Consul General Lomakin, and it is requested that he leave the United States within a reasonable time.

DEPARTMENT OF STATE,

WASHINGTON, August 19, 1948

[Signed] L

[Robert A. Lovett, Under Secretary of State]

NOTES FROM THE EMBASSY OF THE U.S.S.R. TO THE
DEPARTMENT OF STATE

August 9, 1948, No. 143

[Translation]

[Released to the press August 20]

The Embassy of the Union of Soviet Socialist Republics presents its compliments to the Department of State and has the honor to communicate the following:

On July 31, 1948 the sudden disappearance of the Soviet citizens Oksana Stepanovna Kasenkina, 51, a teacher by profession, and Mikhail Ivanovich Samarin, 40, a teacher by profession, with his wife Klavdia Mikhailovna Samarina and their children Tatiana, Elena, and Vladimir, was discovered. It must be pointed out that all the aforesaid persons were ready to depart from the U. S. A. for the Soviet Union on the steamship *Pobeda* on July 31 and had all the necessary official documents and passage tickets. However, for reasons unknown at that time, Kasenkina and Samarin with his family did not come to the steamship *Pobeda* at the moment of its departure, nor were they in the apartments occupied by them as has been subsequently ascertained.

On August 6 of this year Y. M. Lomakin, Consul General of the U.S.S.R. at New York, received a letter from O. S. Kasenkina in which she implored him to snatch her from the hands of the organization—the so-called “Tolstoy Fund”, to whose farm the “Reed Farm”, Valley Cottage 4, she had been forcibly carried from her apartment on July 31 of this year.

On the following day the Consul General of the U.S.S.R. at New York went to the address indicated by Kasenkina and, with his assistance, O. S. Kasenkina left the farm. In this connection it should be noted that heads of the organization, A. L. Tolstaya and M. A. Knutson, attempted to detain Kasenkina by force in spite of her categorical statement to them that she wished to leave with the Consul General and did not want to remain at the farm.

As O. S. Kasenkina has reported, the members of the organization, which is headed by A. Tolstaya and M. Knutson, kept after her long before

the day of her departure for the Soviet Union, trying to induce her by intimidation and threats not to return to her Fatherland. In this connection they did not even stop at applying a narcotic injection with the obvious purpose of weakening her consciousness and will. On the day of Kasenkina's intended departure for the Fatherland, members of this organization carried her from her apartment to the farm mentioned above and forcibly kept her there. During Kasenkina's stay on the farm from July 31 to August 6, A. Tolstaya continued to intimidate Kasenkina and demanded that she write slanderous articles against her Fatherland, but Kasenkina rejected these base demands.

According to available information, M. I. Samarin and his family were also forcibly carried away from his apartment 3-B, 214 West 114th Street, New York, to the Kessel farm in the State of New Jersey on the night of July 30–31 by members of the same organization.

As is evident from communications of the American press of August 9, M. I. Samarin, after a week's stay at the Kessel farm, was turned over to the Federal Bureau of Investigation by the organization headed by Tolstaya.

The above-described cases of kidnaping of Soviet citizens O. A. Kasenkina and M. I. Samarin and his family, as well as a number of other cases in connection with which the Embassy has corresponded with the Department of State, are witness to the fact that the organization headed by Tolstaya is systematically carrying on activities hostile to the Soviet Union, not stopping at the forcible seizure of Soviet citizens with the complicity and quiescence of certain government agencies of the U.S.A., which must be well aware of the activities of the organization—the so-called “Tolstoy Fund”. In this connection the statement of A. L. Tolstaya to representatives of the press on August 8 of this year merits attention; from this statement it is clear that the so-called “Tolstoy Fund” has at its disposal an “underground” organization, the activities of which are directed toward preventing

return of Soviet citizens to their Fatherland which in such activities resorts to conspiratorial methods.

The Embassy of the U.S.S.R. in the U.S.A. considers that the attitude of the government agencies of the U.S.A. toward the above-mentioned criminal activities of the so-called "Tolstoy Fund" constitutes a direct violation of the obligations assumed by the Government of the U.S.A. on the basis of the exchange of letters of November 16, 1933 between the People's Commissar for Foreign Affairs of the U.S.S.R., M. M. Litvinov, and the President of the U.S.A., F. D. Roosevelt.² On instructions from the Soviet Government the Embassy of the U.S.S.R. in the U.S.A. strongly protests the forcible seizure of the Soviet citizens O. S. Kasenkina and M. I. Samarin and their family by members of the "Tolstoy Fund" organization, as well as the toleration by government agencies of the U.S.A. of the criminal activities of this organization, which are clearly directed against the U.S.S.R. and which consist particularly in the prevention, by any forcible means, of the return of Soviet citizens to their Fatherland and in attempts to use them for purposes inimical to the Soviet Union.

The Embassy of the U.S.S.R. in the U.S.A. expects that measures will be taken by the Government of the U.S.A. for the immediate release of M. I. Samarin and his family and for their transfer to the protection of the Consulate General of the U.S.S.R. at New York until their departure for the Fatherland and insists on the discontinuation of activities of the so-called "Tolstoy Fund", which are incompatible with the obligations assumed by the Government of the U.S.A. with respect to the Soviet Union.

August 9, 1948.

Embassy of the Union of
Soviet Socialist Republics
WASHINGTON

[initialed] A. P.

[Alexander Panyushkin, Soviet Ambassador
to the United States]

[Translation]

August 14, 1948, No. 143

[Released to the press August 20]

The Embassy of the Union of Soviet Socialist Republics presents its compliments to the Department of State and has the honor to communicate the following:

August 29, 1948

On August 12, 1948 at 4:20 p.m., two New York City policemen, taking advantage of the fact that employees of the Consulate General had opened the door to the courtyard of the building occupied by the Consulate General where O. S. Kasenkina had jumped from a window, arbitrarily burst into the building of the Consulate General. At 4:30 p.m. four inspectors of the New York police headed by the Deputy Chief Inspector of Police, Conrad Rotingast, came to the Consulate General to learn from the Consul General, Y. M. Lomakin, the circumstances of Kasenkina's suicide attempt. However, instead of dealing with the Consul General the police inspectors, in spite of his protest, seized one of Kasenkina's personal letters which was in her personal bag. The aforesaid persons attempted to search Kasenkina's room and to question employees of the Consulate General.

By such acts the representatives of the New York police authorities violated the extraterritoriality of the building of the Consulate General of the U.S.S.R. in New York, the need for the observance of which is derived from international custom and from the norms of international law.

In connection with the foregoing, the Embassy of the U.S.S.R. in the U.S.A. manifests to the Department of State a protest against the violation of the extraterritoriality of the building of the Consulate General of the U.S.S.R. in New York by representatives of the authorities of the U.S.A., and insists that the persons guilty of such violation be brought to account. The Embassy of the U.S.S.R. in the U.S.A. also insists that the persons who permitted the other illegal acts indicated above be brought to account. The Embassy of the U.S.S.R. in the U.S.A. hopes that the Department of State will take measures that in the future will protect the Consulate General from illegal acts on the part of New York City police authorities, and that the Department will assure the extraterritoriality of the building of the Consulate General of the U.S.S.R. of New York.

August 14, 1948.

Embassy of the Union of
Soviet Socialist Republics
WASHINGTON

[initialed] A. P.

² *Post*, p. 257.

**NOTE HANDED TO AMBASSADOR WALTER BEDELL SMITH BY FOREIGN MINISTER V. M. MOLOTOV
IN MOSCOW AT MIDNIGHT, AUGUST 11**

[Released to the press August 20]

On the 31st of July a group of Soviet citizens were to have sailed from New York on the ship *Pobeda* to the Soviet Union, among whom were the teachers of the Soviet school in New York, O. C. Kasyenkina and M. I. Samarin with his wife K. M. Samarin and three small children, Tatiana, Elena, and Vladimir. The above-mentioned Soviet citizens did not appear up to the moment of the departure of the ship although they had previously paid for their tickets and had sent their baggage on to the ship. From information obtained it was revealed that the persons mentioned were not in their apartments, that Kasyenkina had left her apartment on the morning of the thirty-first and Samarin and his family during the night of the thirtieth to thirty-first of July.

Not until a week after the disappearance of Kasyenkina did the Soviet Consul in New York, Y. M. Lomakin, on the sixth of August by chance receive from her a note in which she stated that she was in the environs of New York on the Reid farm belonging to a bandit-White guard organization under the name of "Tolstoi Fund". In her note Kasyenkina requested the Soviet Consul to save her from the hands of the organization which by all kinds of threats and intimidations had tried to force her to refuse to return to her fatherland and to publish in the press a statement hostile toward the Soviet Union. Going to the address cited in the letter the Soviet Consul in New York actually discovered there Kasyenkina who expressed the desire to proceed immediately with him to the Soviet Consulate. In spite of this, the bandits from the organization "Tolstoi Fund" living on the farm tried forcibly to prevent Kasyenkina from leaving, which, however, they did not succeed in doing.

On August 7, at a press conference in the Consulate Kasyenkina stated that for a week she had been followed by unknown people of this kind,

one of whom called himself Doctor Korzhinski the other Leo Costello, who had tried by way of threats and violence to induce her to refuse to return to her country. In so doing, Costello also resorted to violently administering a narcotic substance to Kasyenkina, clearly with the purpose of weakening her will to oppose him. On the morning of the 31 of July, Kasyenkina was abducted by the chauffeur of a car in which the above-mentioned Doctor Korzhinski visited her on this day. This machine delivered Kasyenkina to Riverside Drive, to the apartment of a White Guard Zenzinov, from whose place she was transferred to Reid farm. At the time of her arrival at this farm, Kasyenkina heard from a member of a White Guard band called "Tolstoi Fund", Alexandra Tolstoy, that Samarin and his family also were there not far away.

According to a statement of the New York correspondent of the United Press, Alexandra Tolstoy confirmed to this correspondent the share of this organization in the abduction of Samarin.

On the tenth of August Under Secretary of State Lovett corroborated to the Soviet Ambassador in Washington that Samarin had been made subject to examination by the Federal Bureau of Investigation which thus is found to be connected with the organization which kidnapped Samarin, his wife and three children.

Supplementary to the statement made by the Soviet Ambassador in Washington, I, on instructions from the Soviet Government, register protest against the toleration on the part of the authorities of the USA, of the criminal acts set forth above with regard to the Soviet citizens Kasyenkina, Samarin and his family. The Soviet Government insists on the immediate release of Samarin and his family, on their surrender once for return to their country to the Consul General of the USSR in New York and also on the punishment of all persons who have taken part in the kidnapping of Soviet citizens.

**Exchange of Communications Between President Franklin D. Roosevelt and Soviet Commissar
for Foreign Affairs Maxim Litvinov, November 16, 1933³**

DEAR MR. LITVINOV:

I am very happy to inform you that as a result of our conversations the Government of the United States has decided to establish normal diplomatic relations with the Government of the Union of Soviet Socialist Republics and to exchange ambassadors.

I trust that the relations now established between our peoples may forever remain normal and friendly, and that our nations henceforth may cooperate for their mutual benefit and for the preservation of the peace of the world.

I am, my dear Mr. Litvinov,

Very sincerely yours,

FRANKLIN D. ROOSEVELT

DEAR MR. PRESIDENT:

I am very happy to inform you that the Government of the Union of Soviet Socialist Republics is glad to establish normal diplomatic relations with the Government of the United States and to exchange ambassadors. I, too, share the hope that the relations now established between our peoples may forever remain normal and friendly, and that our nations henceforth may cooperate for their mutual benefit and for the preservation of the peace of the world.

I am, my dear Mr. President,

Very sincerely yours,

MAXIM LITVINOFF

DEAR MR. PRESIDENT:

I have the honor to inform you that coincident with the establishment of diplomatic relations between our Governments it will be the fixed policy of the Government of the Union of Soviet Socialist Republics:

1. To respect scrupulously the indisputable right of the United States to order its own life within its own jurisdiction in its own way and to refrain from interfering in any manner in the internal affairs of the United States, its territories or possessions.

2. To refrain, and to restrain all persons in government service and all organizations of the Government under its direct or indirect control, including organizations in receipt of any financial assistance from it, from any act overt or covert liable in any way whatsoever to injure the tranquillity, prosperity, order, or security of the whole or any part of the United States, its territories or possessions, and, in particular, from any act tending to incite or encourage armed intervention, or any propaganda having as an aim, the violation of the territorial integrity of the United States, its terri-

ties or possessions, or the bringing about by force of a change in the political or social order of the whole or any part of the United States, its territories or possessions.

3. Not to permit the formation or residence on its territory of any organization or group—and to prevent the activity on its territory of any organization or group, or of representatives or officials of any organization or group—which makes claim to be the Government of, or makes attempt upon the territorial integrity of, the United States, its territories or possessions; not to form, subsidize, support or permit on its territory military organizations or groups having the aim of armed struggle against the United States, its territories or possessions, and to prevent any recruiting on behalf of such organizations and groups.

4. Not to permit the formation or residence on its territory of any organization or group—and to prevent the activity on its territory of any organization or group, or of representatives or officials of any organization or group—which has as an aim the overthrow or the preparation for the overthrow of, or the bringing about by force of a change in, the political or social order of the whole or any part of the United States, its territories or possessions.

I am, my dear Mr. President,

Very sincerely yours,

MAXIM LITVINOFF

MY DEAR MR. LITVINOV:

I am glad to have received the assurance expressed in your note to me of this date that it will be the fixed policy of the Government of the Union of Soviet Socialist Republics:

1. To respect scrupulously the indisputable right of the United States to order its own life within its own jurisdiction in its own way and to refrain from interfering in any manner in the internal affairs of the United States, its territories or possessions.

2. To refrain, and to restrain all persons in government service and all organizations of the Government or under its direct or indirect control, including organizations in receipt of any financial assistance from it, from any act overt or covert liable in any way whatsoever to injure the tranquillity, prosperity, order, or security of the whole or any part of the United States, its territories or possessions, and, in particular, from any act tending to incite or

³ This exchange of communications appeared in *Establishment of Diplomatic Relations With the Union of Soviet Socialist Republics*, Department of State publication 528, printed in 1933, which is in process of being reprinted.

encourage armed intervention, or any agitation or propaganda having as an aim, the violation of the territorial integrity of the United States, its territories or possessions, or the bringing about by force of a change in the political or social order of the whole or any part of the United States, its territories or possessions.

3. Not to permit the formation or residence on its territory of any organization or group—and to prevent the activity on its territory of any organization or group, or of representatives or officials of any organization or group—which makes claim to be the Government of, or makes attempt upon the territorial integrity of, the United States, its territories or possessions; not to form, subsidize, support or permit on its territory military organizations or groups having the aim of armed struggle against the United States, its territories or possessions, and to prevent any recruiting on behalf of such organizations and groups.

4. Not to permit the formation or residence on its territory of any organization or group—and to prevent the activity on its territory of any organization or group, or of representatives or officials of any organization or group—which has as an aim the overthrow or the preparation for the overthrow of, or the bringing about by force of a change in, the political or social order of the whole or any part of the United States, its territories or possessions.

It will be the fixed policy of the Executive of the United States within the limits of the powers conferred by the Constitution and the laws of the United States to adhere reciprocally to the engagements above expressed.

I am, my dear Mr. Litvinov,

Very sincerely yours,

FRANKLIN D. ROOSEVELT

MY DEAR MR. LITVINOV:

As I have told you in our recent conversations, it is my expectation that after the establishment of normal relations between our two countries many Americans will wish to reside temporarily or permanently within the territory of the Union of Soviet Socialist Republics, and I am deeply concerned that they should enjoy in all respects the same freedom of conscience and religious liberty which they enjoy at home.

As you well know, the Government of the United States, since the foundation of the Republic, has always striven to protect its nationals, at home and abroad, in the free exercise of liberty of conscience and religious worship, and from all disability or persecution on account of their religious faith or worship. And I need scarcely point out that the rights enumerated below are those enjoyed in the United States by all citizens and foreign nationals and by American nationals in all the major countries of the world.

The Government of the United States, therefore, will expect that nationals of the United States of America within the territory of the Union of Soviet Socialist Republics will be allowed to conduct without annoyance or molestation of any kind religious services and rites of a ceremonial

nature, including baptismal, confirmation, communal marriage and burial rites, in the English language, or in any other language which is customarily used in the practice of the religious faith to which they belong in churches, houses, or other buildings appropriate for such service, which they will be given the right and opportunity to lease, erect or maintain in convenient situations.

We will expect that nationals of the United States will have the right to collect from their co-religionists and receive from abroad voluntary offerings for religious purposes; that they will be entitled without restriction to impart religious instruction to their children, either singly or in groups, or to have such instruction imparted to persons whom they may employ for such purpose; that they will be given and protected in the right to bury the dead according to their religious customs in suitable and convenient places established for that purpose, and given the right and opportunity to lease, lay out, occupy and maintain such burial grounds subject to reasonable statutory laws and regulations.

We will expect that religious groups or congregations composed of nationals of the United States of America in the territory of the Union of Soviet Socialist Republics will be given the right to have their spiritual needs ministered to by clergymen, priests, rabbis or other ecclesiastical functionaries who are nationals of the United States of America, and that such clergymen, priests, rabbis or other ecclesiastical functionaries will be protected from all disability or persecution and will not be denied entry into the territory of the Soviet Union because of their ecclesiastical status.

I am, my dear Mr. Litvinov,

Very sincerely yours,

FRANKLIN D. ROOSEVELT

MY DEAR MR. PRESIDENT:

In reply to your letter of November 16, 1933, I have the honor to inform you that the Government of the Union of Soviet Socialist Republics as a fixed policy accords to nationals of the United States within the territory of the Union of Soviet Socialist Republics the following rights referred to by you:

1. The right to "free exercise of liberty of conscience and religious worship" and protection "from all disability or persecution on account of their religious faith or worship".

This right is supported by the following laws and regulations existing in the various republics of the Union:

"Every person may profess any religion or none. No restrictions of rights connected with the profession of belief whatsoever, or with the non-profession of belief, are annulled." (Decree of Jan. 23, 1918, art. 2.)

"Within the confines of the Soviet Union it is prohibited to issue any local laws or regulations restricting or limiting freedom of conscience, or establishing privileges or preferential rights of any kind based upon religious profession of any person." (Decree of Jan. 23, 1918, art. 2.)

The right to "conduct without annoyance or molestation of any kind religious services and rites of a ceremonial nature".

This right is supported by the following laws:

Free performance of religious rites is guaranteed as long as it does not interfere with public order and is not accompanied by interference with the rights of citizens of the Soviet Union. Local authorities possess the right in special cases to adopt all necessary measures to preserve public order and safety." (Decree of Jan. 23, 1918, art. 5.) No interference with the performance of religious rites, so far as they do not endanger public order and are not accompanied by infringements on the rights of others punishable by compulsory labour for a period up to six months." (Criminal Code, art. 127.)

"The right and opportunity to lease, erect or maintain in convenient situations" churches, houses or other buildings appropriate for religious purposes.

This right is supported by the following laws and regulations:

Believers belonging to a religious society with the obligation of making provision for their requirements in the exercise of religion may lease under contract, free of charge, from the Sub-District or District Executive Committee or from the Town Soviet, special buildings for the purpose of worship and objects intended exclusively for the purposes of their cult." (Decree of April 8, 1929, art. 10.)

Furthermore, believers who have formed a religious society or a group of believers may use for religious meetings other buildings which have been placed at their disposal on lease by private persons or by local Soviets or Executive Committees. All rules established for the use of places of worship are applicable to these buildings. Contracts for the use of such buildings shall be concluded by mutual agreement of the believers who will be held responsible for their execution. In addition, these buildings must comply with sanitary and technical building regulations." (Decree of April 8, 1929, art. 10.)

The place of worship and religious property shall be placed over for the use of believers forming a religious society under a contract concluded in the name of the District Executive Committee or Town Soviet or the competent administrative department or branch, directly by the Sub-District Executive Committee." (Decree of April 8, 1929, art. 15.)

The construction of new places of worship may take place at the desire of religious societies provided that the technical building regulations and the special regulations laid down by the People's Commissariat for Internal Affairs are observed." (Decree of April 8, 1929, art. 45.)

The right to collect from their co-religionists . . . voluntary offerings for religious purposes."

This right is supported by the following law:

Members of groups of believers and religious societies may make voluntary subscriptions among themselves and collect voluntary offerings, both in the place of worship itself and outside it, but only amongst the members of the religious

association concerned and only for purposes connected with the upkeep of the place of worship and the religious property, for the engagement of ministers of religion and for the expenses of their executive body. Any form of forced contribution in aid of religious associations is punishable under the Criminal Code." (Decree of April 8, 1929, art. 54.)

5. Right to "impart religious instruction to their children either singly or in groups or to have such instruction imparted by persons whom they may employ for such purpose."

This right is supported by the following law:

"The school is separated from the Church. Instruction in religious doctrines is not permitted in any governmental and common schools, nor in private teaching institutions where general subjects are taught. Persons may give or receive religious instruction in a private manner." (Decree of Jan. 23, 1918, art. 9.)

Furthermore, the Soviet Government is prepared to include in a consular convention to be negotiated immediately following the establishment of relations between our two countries provisions in which nationals of the United States shall be granted rights with reference to freedom of conscience and the free exercise of religion which shall not be less favorable than those enjoyed in the Union of Soviet Socialist Republics by nationals of the nation most favored in this respect. In this connection, I have the honor to call to your attention Article 9 of the Treaty between Germany and the Union of Soviet Socialist Republics, signed at Moscow October 12, 1925, which reads as follows:

"Nationals of each of the Contracting Parties . . . shall be entitled to hold religious services in churches, houses or other buildings, rented, according to the laws of the country, in their national language or in any other language which is customary in their religion. They shall be entitled to bury their dead in accordance with their religious practice in burial-grounds established and maintained by them with the approval of the competent authorities, so long as they comply with the police regulations of the other Party in respect of buildings and public health."

Furthermore, I desire to state that the rights specified in the above paragraphs will be granted to American nationals immediately upon the establishment of relations between our two countries.

Finally, I have the honor to inform you that the Government of the Union of Soviet Socialist Republics, while reserving to itself the right of refusing visas to Americans desiring to enter the Union of Soviet Socialist Republics on personal grounds, does not intend to base such refusals on the fact of such persons having an ecclesiastical status.

I am, my dear Mr. President,

Very sincerely yours,

MAXIM LITVINOFF

MY DEAR MR. PRESIDENT:

Following our conversations I have the honor to inform you that the Soviet Government is prepared to include in

a consular convention to be negotiated immediately following the establishment of relations between our two countries provisions in which nationals of the United States shall be granted rights with reference to legal protection which shall not be less favorable than those enjoyed in the Union of Soviet Socialist Republics by nationals of the nation most favored in this respect. Furthermore, I desire to state that such rights will be granted to American nationals immediately upon the establishment of relations between our two countries.

In this connection I have the honor to call to your attention Article 11 and the Protocol to Article 11, of the Agreement Concerning Conditions of Residence and Business and Legal Protection in General concluded between Germany and the Union of Soviet Socialist Republics on October 12, 1925.

"ARTICLE 11

"Each of the Contracting Parties undertakes to adopt the necessary measures to inform the consul of the other Party as soon as possible whenever a national of the country which he represents is arrested in his district.

"The same procedure shall apply if a prisoner is transferred from one place of detention to another."

"FINAL PROTOCOL

"Ad Article 11.

"1. The Consul shall be notified either by a communication from the person arrested or by the authorities themselves direct. Such communications shall be made within a period not exceeding seven times twenty-four hours, and in large towns, including capitals of districts, within a period not exceeding three times twenty-four hours.

"2. In places of detention of all kinds, requests made by consular representatives to visit nationals of their country under arrest, or to have them visited by their representatives, shall be granted without delay. The consular representative shall not be entitled to require officials of the courts or prisons to withdraw during his interview with the person under arrest."

I am, my dear Mr. President,

Very sincerely yours,

MAXIM LITVINOFF

MY DEAR MR. LITVINOV:

I thank you for your letter of November 16, 1933, informing me that the Soviet Government is prepared to grant to nationals of the United States rights with reference to legal protection not less favorable than those enjoyed in the Union of Soviet Socialist Republics by nationals of the nation most favored in this respect. I have noted the provisions of the treaty and protocol concluded between Germany and the Union of Soviet Socialist Republics on October 12, 1925.

I am glad that nationals of the United States will enjoy the protection afforded by these instruments immediately upon the establishment of relations between our countries

and I am fully prepared to negotiate a consular convention covering these subjects as soon as practicable. I add that American diplomatic and consular officers in the Soviet Union will be zealous in guarding the rights of American nationals, particularly the right to a fair, prompt and speedy trial and the right to be represented by counsel of their choice. We shall expect that the nearest American diplomatic or consular officer shall be notified immediately of any arrest or detention of an American national, and that he shall promptly be afforded the opportunity to communicate and converse with the national.

I am, my dear Mr. Litvinov,

Very sincerely yours,

FRANKLIN D. ROOSEVELT

In reply to a question of the President in regard to prosecutions for economic espionage, Mr. Litvinov gave the following explanation:

"The widespread opinion that the dissemination of economic information from the Union of Soviet Socialist Republics is allowed only in so far as this information has been published in newspapers or magazines, is erroneous. The right to obtain economic information is limited in the Union of Soviet Socialist Republics, as in other countries, only in the case of business and production secrets and in the case of the employment of forbidden methods (bribery, theft, fraud, etc.) to obtain such information. The category of business and production secrets naturally includes the official economic plans, in so far as they have not been made public, but not industrial reports concerning the production conditions and the general conditions of individual enterprises.

"The Union of Soviet Socialist Republics has a right to reason to complicate or hinder the critical examination of its economic organization. It naturally follows from this that every one has the right to talk about economic matters or to receive information about such matters from the Union, in so far as the information for which he has asked or which has been imparted to him is not secret. It may not, on the basis of special regulations issued by responsible officials or by the appropriate state organs, be made known to outsiders. (This principle applies primarily to information concerning economic conditions and tendencies.)"

MY DEAR MR. PRESIDENT:

Following our conversations I have the honor to inform you that the Government of the Union of Soviet Socialist Republics agrees that, preparatory to a final settlement of the claims and counter claims between the Government of the Union of Soviet Socialist Republics and the Government of the United States and the claims of their nationals, the Government of the Union of Soviet Socialist Republics will not take any steps to enforce any decisions of courts or to initiate any new litigations for the amounts admitted to be due or that may be found to be due it, as the sum

prior Governments of Russia, or otherwise, from Americans, including corporations, companies, partnerships, or associations, and also the claim against the United States of the Russian Volunteer Fleet, now in litigation in the United States Court of Claims, and will not object to such amounts being assigned and does hereby release and assign all such amounts to the Government of the United States, the Government of the Union of Soviet Socialist Republics to be duly notified in each case of any amount realized by the Government of the United States from such release and assignment.

The Government of the Union of Soviet Socialist Republics further agrees, preparatory to the settlement referred to above not to make any claim with respect to:

- (a) judgments rendered or that may be rendered by American courts in so far as they relate to property, or rights, or interests therein, in which the Union of Soviet Socialist Republics or its nationals may have had or may claim to have an interest; or,
- (b) acts done or settlements made by or with the Government of the United States, or public officials in the United States, or its nationals, relating to property, credits, or obligations of any Government of Russia or nationals thereof.

I am, my dear Mr. President,
Very sincerely yours,

MAXIM LITVINOFF

DEAR MR. LITVINOFF:

I am happy to acknowledge the receipt of your letter of October 16, 1933, in which you state that:

The Government of the Union of Soviet Socialist Republics agrees that, preparatory to a final settlement of claims and counter claims between the Governments of the Union of Soviet Socialist Republics and the United States of America and the claims of their nationals, the Government of the Union of Soviet Socialist Republics will not take any steps to enforce any decisions of courts or initiate any new litigations for the amounts admitted to be due or that may be found to be due it, as the successor prior Governments of Russia, or otherwise, from American nationals, including corporations, companies, partnerships, or associations, and also the claim against the United States of the Russian Volunteer Fleet, now in litigation in the United States Court of Claims, and will not object to such amounts being assigned and does

hereby release and assign all such amounts to the Government of the United States, the Government of the Union of Soviet Socialist Republics to be duly notified in each case of any amount realized by the Government of the United States from such release and assignment.

"The Government of the Union of Soviet Socialist Republics further agrees, preparatory to the settlement referred to above, not to make any claim with respect to:

- (a) judgments rendered or that may be rendered by American courts in so far as they relate to property, or rights, or interests therein, in which the Union of Soviet Socialist Republics or its nationals may have had or may claim to have an interest; or,
- (b) acts done or settlements made by or with the Government of the United States, or public officials in the United States, or its nationals, relating to property, credits or obligations of any Government of Russia or nationals thereof."

I am glad to have these undertakings by your Government and I shall be pleased to notify your Government in each case of any amount realized by the Government of the United States from the release and assignment to it of the amounts admitted to be due, or that may be found to be due, the Government of the Union of Soviet Socialist Republics, and of the amount that may be found to be due on the claim of the Russian Volunteer Fleet.

I am, my dear Mr. Litvinov,
Very sincerely yours,

FRANKLIN D. ROOSEVELT

MY DEAR MR. PRESIDENT:

I have the honor to inform you that, following our conversations and following my examination of certain documents of the years 1918 to 1921 relating to the attitude of the American Government toward the expedition into Siberia, the operations there of foreign military forces and the inviolability of the territory of the Union of Soviet Socialist Republics, the Government of the Union of Soviet Socialist Republics agrees that it will waive any and all claims of whatsoever character arising out of activities of military forces of the United States in Siberia, or assistance to military forces in Siberia subsequent to January 1, 1918, and that such claims shall be regarded as finally settled and disposed of by this agreement.

I am, my dear Mr. President,
Very sincerely yours,

MAXIM LITVINOFF

POSITION ON STATUS OF MRS. OKSANA KASENKINA

Letter From the Legal Adviser of the Department
of State to the Justice of the New York
Supreme Court

[Released to the press August 19]

August 18, 1948

MY DEAR MR. JUSTICE: Pursuant to our conversation this morning, I respectfully transmit to you

August 29, 1948

the position of the United States Government concerning the status of Mrs. Oksana Stepanova Kosenkina, who is the subject of an application for a writ of habeas corpus now pending before your court.

It is the view of the United States Government

that there is no basis under international law or under any law of the United States for considering that Mrs. Kosenkina is in any manner subject to the control or authority of the Soviet Government so long as she remains in this country. The Department of State already has advised the Soviet Embassy that Mrs. Kosenkina will not be placed under control of any person against her own will. The Department has also advised the Soviet Embassy that although it recognizes the

right of the Soviet Government, through its officials abroad to extend all proper assistance and protection to Soviet nationals, this right does not include authority to take charge of Soviet citizens in this country irrespective of their wishes.

Sincerely yours,

ERNEST A. GROSS,
The Legal Adviser

The Honorable SAMUEL DICKSTEIN,
*Justice, Supreme Court,
New York, New York.*

UNITED NATIONS DAY

October 24, 1948

To be observed by the United States and all other fifty-seven countries that are members of the United Nations

The General Assembly of the United Nations on October 31, 1947, adopted a resolution naming October 24—the day the Charter of the United Nations came into effect—as United Nations Day and invited all member governments to cooperate in observing it. The resolution declares that the day “shall be devoted to making known to the peoples of the world the aims and achievements of the United Nations and to gaining their support for the work of the United Nations.”

Secretary of State George C. Marshall has appointed a National Citizens' Committee to promote the observance of United Nations Day in this country. That Committee is asking the people of every state and every community in the country to organize programs for United Nations Day. The Committee is also working in close cooperation with the United Nations, the Department of State, the Unesco National Commission, and the United States Mission to the United Nations. Their material and plans will be available for communities through the state United Nations Day organizations. The Committee urges every citizen to start now to work for his state and local Citizens' Committee, church, and peace organizations, clubs, branch of the American Association for the United Nations, and county agent to make the first United Nations Day a day when all the people of the United States demonstrate their faith in a free, democratic brotherhood of nations.

Lists of United States Department of State publications dealing with the United Nations may be obtained from the Division of Publications, Department of State, Washington 25, D.C. Four such publications of immediate interest to United Nations Day are: *Guide to the United States and the United Nations*; *United Nations: Three Years of Achievement*; *Foreign Affairs Outline No. 17, The United Nations in Action*; and *Peace Takes Practice* (a wall poster).

The Department of Public Information of the United Nations, in cooperation with the information services of the specialized agencies, will make special services available in various languages to newspapers, radio stations, cinema theaters, and schools.

THE UNITED NATIONS AND SPECIALIZED AGENCIES

Divergent Views on Program of Work of the Military Staff Committee

LETTER TO THE PRESIDENT OF THE SECURITY COUNCIL SUBMITTING STATEMENT BY U.S., U.K., CHINESE, AND FRENCH DELEGATIONS

August 6, 1948¹

Mr. In order that the Security Council may be fully advised concerning the work in the Military Staff Committee, the U.K., U.S., Chinese and French Delegations have requested the Chairman to submit the following statement to you. Such divergent views as the USSR Delegation may desire to call to your attention will be submitted when received from that Delegation.

In its letter dated 2 July 1948, issued as MS/405 of 6 July 1948, the Military Staff Committee reported to you that, owing to the divergencies of view which still prevailed on some of the General Principles, it had not been in a position to undertake the final determination of the Overall Strength and Composition of the Armed Forces, and thus achieve further progress in this matter towards the conclusion of the special agreements required by Article 43 of the Charter.

Since the dispatch of the letter, the Military Staff Committee met to discuss the pursuance of the tasks entrusted to it, as set out in its Programme of Work (Ref: MS/271/M44 dated 16 May 1947, an excerpt of which is enclosed as Annex). Inasmuch as unanimity could not be achieved on the question of the Overall Strength and Composition of the United Nations Armed Forces (Item I of the Programme of Work), it was, *a priori*, impossible to consider Items II and III of the Programme of Work, dealing with the contributions by Member Nations.

The consideration of Item IV of the Programme of Work, i.e., Preparation of a Draft Standard Form of Special Agreement was then envisaged.

However, there again, the five Delegations were unable to agree unanimously that such a study could be undertaken before the Military Staff Committee had received instructions from the Security Council concerning the divergencies based on some of the General Principles.

In reporting to you the existence of this latest estimate, the Military Staff Committee has the honour to call, once more, the attention of the Security Council to the fact that the Military Staff Committee considers it urgent to resolve the dis-

agreement which prevails on some of the General Principles, and of which the Security Council had been apprised as early as 30 April 1947. (MS/264).

Respectfully yours,

R. L. McCREERY,
General, British Army,
Chairman, Military Staff Committee

ANNEX

Extract

"The Military Staff Committee:

(a) Agreed to the following Programme of Work:

(1) The preliminary estimates of overall strength and composition of Armed Forces to be made available to the Security Council by Member Nations of the United Nations, including the determination of the overall strength and composition of the three principal Services of Armed Forces—land, sea and air.

(2) The preliminary estimates of the strength and composition of the Armed Forces to be made available to the Security Council by the five Permanent Members of the Security Council, including the determination of the strength and composition of the three principal Services of Armed Forces—land, sea and air.

(3) The preliminary estimates of the strength and composition of the Armed Forces to be made available to the Security Council by the other Member Nations, including the determination of the strength and composition of the three principal Services of Armed Forces—land, sea and air.

(4) Preparation of a Draft Standard Form of Special Agreement.

(b) Agreed to set up a Sub-Committee with the following Terms of Reference to examine the question of Overall Strength and Composition:

¹ U.N. doc. S/956, Aug. 9, 1948.

(1) A Sub-Committee is hereby established and instructed to commence informal discussion, in the light of the General Principles² submitted to the Security Council, on the question of the Overall Strength and Composition of the Armed Forces to be made available to the Security Council by Member Nations of the United Nations.

(2) The Sub-Committee is to make recommendations to the Military Staff Committee as to the Overall Strength and Composition of the Armed Forces including the strength of the three Services—land, sea and air, after the General Principles have been approved by the Security Council. The Sub-Committee is to report progress not later than 30 June 1947.

(3) In the event the Sub-Committee being unable to reach agreement with regard to the problem as a whole, or the method of approach to the problem, further guidance from the Military Staff Committee is to be requested without delay.

(c) Took note:

(1) That the Chinese, French, U.K. and U.S.

Delegations considered that Problems 1 and 4 of the Programme of Work should be considered first and concurrently:

(2) That the U.S.S.R. Delegation consider that Problem 1 of the Programme of Work should be considered first.

(d) Took note that all Delegations reserved the right to request the Military Staff Committee to consider, at any time, the question of setting up a Sub-Committee to consider the preparation of a Draft Standard Form of Special Agreement."

16 August 1948

SIR, I have the honour to forward to you the attached letter from the USSR Delegation, setting forth the divergent views of that Delegation, which reference was made in my previous letter dated 6 August 1948. (Document S/956).

I have the honour [etc.]

R. L. McCREERY,
General, British Army
Chairman, Military Staff Committee

LETTER TO THE PRESIDENT OF THE SECURITY COUNCIL FROM THE SOVIET DELEGATION

SIR, The USSR Delegation has the honour to submit to the Security Council its point of view on the substance of questions set out in the letter to the Security Council of 6 August 1948, MS/417, which was addressed to you by the United States, United Kingdom, French and Chinese Delegations.

The USSR Delegation can not agree with the assertion made in the said letter that the Military Staff Committee can not continue its work.

The USSR Delegation considers that the Military Staff Committee can continue its work by consecutive examination of the questions set out in the Program of Work which was adopted by the Military Staff Committee at its Forty-Fourth Meeting on 15 May 1947 (MS/271/M44).

On the basis of these considerations the USSR Delegation, at the Eighty-First Meeting of the Military Staff Committee made a proposal to begin informal consideration of Item II of the Program of Work, namely:

To discuss "The preliminary estimates of the strength and composition of the Armed Forces to

be made available to the Security Council by the five Permanent Members of the Security Council, including the determination of the strength and composition of the three principal Services of the Armed Forces—land, sea and air."

However, the United States, United Kingdom, French and Chinese Delegations did not agree with this.

The USSR Delegation admitted and still admits that the absence of agreed General Principles creates difficulties in the work of the Military Staff Committee. The USSR Representatives have always been of the opinion that for the successful work of the Military Staff Committee, it was necessary to agree upon General Principles. At the same time the USSR Delegation considers that pending the consideration of the General Principles by the Security Council, the Military Staff Committee could in an informal and preliminary manner consider Item II of the Program of Work as it has considered Item I of the Program dealing with the estimate of the overall strength and composition of the Armed Forces.

As is known, when previously, the Representatives of the other countries considered it possible to discuss the question of overall strength and composition without reaching an agreement on the General

² MS/264.

³ U.N. doc. S/971, Aug. 17, 1948.

Principles, the USSR Representatives had based on an informal discussion of these questions the Military Staff Committee. The question to know is the strength of the Armed Forces to be made available by the five Permanent Members of the Security Council.

The USSR Delegation is of the opinion that consideration of the Program of Work of the Military Staff Committee, item by item, would allow the Military Staff Committee to prepare the necessary data for the working out of the Standard

Form of Special Agreement mentioned in paragraphs 4 and 5 of the letter by the four Delegations.

At the same time, the USSR Delegation considers it inadvisable to discuss the question of the Standard Form of Agreement before the General Principles have been agreed upon.

Respectfully yours,

A. P. SHARAPOV,
Lieutenant General, USSR Air Force,
USSR Delegation

The Question of Displaced Persons

LETTER FROM AMBASSADOR WARREN R. AUSTIN TO THE SECRETARY-GENERAL

August 17, 1948

EXCELLENCY: With regard to the Assistant Secretary General's communication of August 3, 1948 requesting information from the United States Government in the matters of Jewish and Arab displaced persons and relief and assistance to such persons, I have the honor to transmit the following reply from my Government.

a) *Question of Displaced Persons of Jewish Nationality in Europe.* Since the beginning of the Nazi regime in Germany the United States has shown consistent concern with the problem of Jewish refugees which arose with the advent to power of that regime. The United States took the initiative in convening the Inter-Governmental Committee on Refugees which prior to the outbreak of war on September 1, 1939, assisted in the emigration and the resettlement of Jewish displaced persons in Western European countries and in the Western Hemisphere. By that date, Palestine, the United States, and Latin American countries had absorbed approximately 270,000, in equal proportions, and 20,000 had reached Shanghai. According to annual reports of the United States Immigration Service, during the ten-year period from July 1, 1933 to June 30, 1943, 165,756 Jewish emigrants were admitted to the United States from all countries and 52,406 Jewish non-immigrants were likewise admitted. The total of these two groups is 218,162.

In 1944, the United States organized the War Refugee Board which was composed of the Secretaries of State, Treasury and War of the United States. The Board acted vigorously until the end of World War II in relief to and the assistance of Jewish displaced persons from Europe, and it cooperated closely with the Inter-Governmental Committee on Refugees, the International Com-

mittee of the Red Cross and the Governments of a number of countries notably Sweden, Switzerland and Turkey. Of several thousand refugees assisted by the Board in reaching countries of refuge, 982 persons, of which most were Jews, were admitted to the United States under the auspices of the Board in that year. Under the directive of the President, dated December 22, 1945, United States visas were issued from March 31, 1946 through April 30, 1948 to 34,365 refugees, of which 22,747 were Jews. Since 1946, the United States has acted in and outside the United Nations to achieve activation of the Iro and now contributes \$71,000,000 a year, or 45 per cent of its budget.

As of June 30, 1948, there were 124,825 Jewish displaced persons in the United States Zone of Germany and 18,250 in the United States Zone of Austria; a total of 143,075. I understand that as of the same date there were approximately 18,000 in Italy. The PCIRO is providing care, maintenance and resettlement of displaced persons, including Jews, in Central Europe without favor or discrimination. Recruitment of displaced persons for resettlement is entirely in the hands of the Immigration Selection Missions of the receiving countries, and overseas transportation for such persons as are accepted by these Selection Missions is provided by the PCIRO. Jewish Voluntary Agencies are also assisting in overseas resettlement and are sharing transportation costs with the Preparatory Commission for the movement of individuals to overseas destinations.

I might say, further, that the United States Congress has recently passed legislation admitting

¹ U.N. doc. S/976, Aug. 18, 1948.

THE UNITED NATIONS AND SPECIALIZED AGENCIES

205,000 displaced persons in the next two years, of which a certain portion will be Jews. In addition, it is probable that from 10,000 to 20,000 Jews will be admitted during the same period under the normal immigration laws of the United States, and it is anticipated that the Congress, at its next session, will give further consideration to this problem.

The United States, in cooperation with the United Kingdom, Brazil and the Netherlands, has presented a resolution on displaced persons to the Economic and Social Council now meeting in Geneva. This resolution urges the PCIRO to continue efforts for the repatriation of refugees and displaced persons to their countries of origin in accordance with the IRO constitution, stresses the need for accelerated resettlement of nonrepatriable refugees and displaced persons, and urges governments to admit these to the maximum limit of their capacity.

(b) *Question of Arab Refugees in Palestine and Neighbouring Countries.* Appropriate reports on this situation can best be furnished by the Mediator and the countries directly concerned. However, the situation of the Arab refugees in Palestine and neighbouring countries gives the United States Government cause for serious alarm, not only from a humanitarian point-of-view, since the lot of a very high proportion of these refugees is desperate, or will become so shortly, but also because of the effect of this problem on the prospects of a peaceful adjustment of the future situation in Palestine. Paragraph (c) below will indicate what is contemplated or being done in relief of and assistance to this group.

(c) *Question of Relief and Assistance to A* Paragraph (a) above has mentioned relief assistance for the care and maintenance and settlement of Jewish displaced persons in Europe provided by the PCIRO and Jewish Voluntary Agencies. The United States' annual contribution to the PCIRO has also been mentioned. American contributions to Near Eastern refugees in general by voluntary agencies of the United States, including medical and hospital supplies and clothing in the amount of \$250,000 made available in April by the American Red Cross to the International Committee of the Red Cross for this purpose. This is a continuing process by which the American Red Cross is endeavoring to supply what it can of the needs of the International Red Cross in the Near East area. I might mention also that the World Service is shipping 38,000 pounds of clothing and 175 pounds of vitamins to the American School of Oriental Research in Palestine, which is the distributing agency for American Voluntary Relief.

The Secretary of State has received a direct appeal from the Mediator for specific relief in considerable quantities. The burden on contributing agencies will be heavy, but my Government very much hopes that this appeal will be met with the traditional American generosity toward those in need.

(d) *The Question of Jewish Refugees detained on Cyprus.* As in the case of question (b), the Government considers that pertinent information can best be obtained from other competent sources.

Accept [etc.]

WARREN R. AUS

APPEAL FOR U.S. AID FOR JEWISH AND ARAB REFUGEES

Count Folke Bernadotte, Palestine Mediator, to Secretary Marshall¹

[Released to the press August 17]

Delivered August 16, 1948

As Mediator for Palestine I am convinced that successful mediation can only continue if solution can be found for most urgent aspects of great human disaster affecting 330,000 destitute Arab refugees from Jewish-controlled areas and 7,000 Jewish refugees. Their condition is desperate; 30 percent are children under five years of age and over 10 percent pregnant women, nursing mothers, and they are almost entirely without food except short supplies of flour.

¹ Printed from telegraphic text.

Considering the extent and importance of our usual trade relationships with countries of the Middle East including Palestine, will the Government of the United States of America assist to alleviate this sudden human disaster, comparable to an earthquake or tidal wave, by donating and diverting to me at Beirut or Aqaba 2,500 tons of wheat, 100 tons of canned meat, 50 tons of coffee, 50 tons of butter, and 20 tons of DDT, 10 percent immediately from your supplies seaborne to the nearest ports and further 90 percent within three months at the latest. The full quantity of DDT is essential immediately and is asked from supplies in Greece.

I am applying to the International Child Welfare Emergency Fund for special supplementary provision for infants, children, pregnant women and nursing mothers.

Department of State Bu

Essential factor is time as they are being swept by epidemic diseases, winter is approaching, and many must die. Deeply grateful if you would publish this appeal in your daily papers and telegraph me your decision at Rhodes within ten days.

BERNADOTTE
Palestine Mediator

Secretary Marshall to Count Bernadotte

[Released to the press August 20]

August 20, 1948

In response to your appeal of August 16 to this Government for assistance in alleviating the

refugee problem in the Near East, the Department is working with other agencies of the Government to determine what can be done quickly and practically. American Red Cross and private relief agencies have already responded by pledging the total amount of DDT and by committing funds to provide for immediate purchase of ten per cent of the total food supplies. Details concerning specific contributions and channels of supply will be provided as soon as possible. I am confident that American private organizations and relief agencies will continue to respond generously to your appeal on behalf of the peoples of the Near East. The President is giving his full support to these measures.

Security Council Resolution on Control of Dissidents Among Jews and Arabs¹

The Security Council,
Taking into account communications from the Mediator concerning the situation in Jerusalem,
Directs the attention of the governments and authorities concerned to the Resolution of the Security Council of 15 July 1948, and
Decides pursuant to its Resolution of 15 July 1948, and so informs the governments and authorities concerned, that:

(a) Each party is responsible for the actions of both regular and irregular forces operating under its authority or in territory under its control;

(b) Each party has the obligation to use all means at its disposal to prevent action violating the Truce by individuals or groups who are subject to its authority or who are in territory under its control;

(c) Each party has the obligation to bring to speedy trial and in case of conviction to punish, any and all persons within their jurisdiction who are involved in a breach of the Truce;

(d) No party is permitted to violate the Truce on the ground that it is undertaking reprisals or retaliations against the other party;

(e) No party is entitled to gain military or political advantage through violation of the Truce.

Commission for Conventional Armaments

RESOLUTION ON FORMULATION OF PROPOSALS FOR REGULATION AND REDUCTION OF ARMAMENTS AND ARMED FORCES²

The Commission for Conventional Armaments recommends that the following principles should govern the formulation of practical proposals for the establishment of a system for the regulation and reduction of armaments and armed forces:

1. A system for the regulation and reduction of armaments and armed forces should provide for the adherence of all States. Initially it must include at least all States having substantial military resources.

2. A system of regulation and reduction of armaments and armed forces can only be put into effect in an atmosphere of international confidence and security. Measures for the regulation and reduction of armaments which would follow the

establishment of the necessary degree of confidence might in turn be expected to increase confidence and so justify further measures of regulation and reduction.

3. Examples of conditions essential to such confidence and security are:

(a) The establishment of an adequate system of agreements under Article 43 of the Charter. Until

¹ U.N. doc. S/983, Aug. 20, 1948. Submitted jointly by the Representatives of Canada, France, the U.K., and the U.S. Adopted by the Security Council on Aug. 19, 1948.

² U.N. doc. S/C.3/31, Aug. 15, 1948. Adopted at the 13th meeting of the Commission for Conventional Armaments on Aug. 12, 1948.

the agreed forces are pledged to the Security Council an essential step in establishing a system of collective security will not have been taken.

(b) The establishment of international control of atomic energy. It is a basic assumption of the work of the Commission for Conventional Armaments that the Atomic Energy Commission will make specific proposals for the elimination from national armaments of atomic weapons and other weapons of mass destruction.

(c) The conclusion of the peace settlements with Germany and Japan. Conditions of international peace and security will not be fully established until measures have been agreed upon which will prevent these States from undertaking aggressive action in the future.

4. A system for the regulation and reduction of armaments and armed forces, in order to make possible the least diversion for armaments of the world's human and economic resources pursuant to Article 26 of the Charter of the United Nations, must limit armaments and armed forces to those

which are consistent with and indispensable to the maintenance of international peace and security. Such armaments and armed forces should not exceed those necessary for the implementation of members' obligations and the protection of the rights under the Charter of the United Nations.

5. A system for the regulation and reduction of armaments and armed forces must include an adequate system of safeguards, which by including an agreed system of international supervision will ensure the observance of the provisions of the treaty or convention by all parties thereto. A system of safeguards cannot be adequate unless it possesses the following characteristics:

- (a) it is technically feasible and practical;
- (b) it is capable of detecting promptly the occurrence of violations;
- (c) it causes the minimum interference with and imposes the minimum burdens on, any aspect of the life of individual nations.

6. Provision must be made for effective enforcement action in the event of violations.

RESOLUTION DEFINING ARMAMENTS³

The Commission for Conventional Armaments resolves to advise the Security Council:

1. that it considers that all armaments and armed forces, except atomic weapons and weapons of mass destruction, fall within its jurisdiction and that weapons of mass destruction should be defined to include atomic explosive weapons, radio active

material weapons, lethal chemical and biologic weapons, and any weapons developed in the future which have characteristics comparable in destructive effect to those of the atomic bomb or other weapons mentioned above.

2. that it proposes to proceed with its work on the basis of the above definition.

Status of Establishment of Permanent Headquarters of FAO

The Acting Director General of FAO to Secretary Marshall

May 25, 1948

SIR, You will recall that the Director-General at the request of the Conference submitted to the Geneva Session of the Conference of FAO a comprehensive report dealing with the selection of a permanent site for the headquarters of the Organization (Doc. C47/28). The Conference, after

detailed consideration of this Report, concluded that further investigation was necessary and referred the matter to the Council of FAO.

The Council at its First Session agreed that further investigations to be carried out should not cover the same ground as the previous report, but should rather attempt to supplement it by considering specific proposals made by Member Governments in the light of the actual requirements of the Organization.

On that basis the Council set up a Committee which submitted the attached report⁴ to the second Session of the Council.

It will be noted in this report, which has been approved by the Council, that a Sub-Committee

³ U.N. doc. S/C.3/30, Aug. 13, 1948. Adopted at the 13th meeting of the Commission for Conventional Armaments on Aug. 12, 1948.

⁴ Not printed.

*Secretary Marshall to the Director General
of FAO*

[Released to the press August 19]

August 18, 1948

(composed of the representatives of Chile, China, Czechoslovakia, United Kingdom, Union of South Africa and the Committee on Financial Control) has been set up to proceed without delay with further investigations and negotiations concerning the sites which have already been, or may yet be suggested for the permanent headquarters, in order that a final decision may be taken at the next Annual Conference.

In making the final appraisal, the Sub-Committee must take into consideration the specific factors set out in paragraph 3 of the enclosed report, and, as emphasized by Mr. Boerma, the delegate of the Netherlands to the Council, will have to consider from the point of view of liaison, where the other international specialized agencies will establish their permanent headquarters, as well as the advantage of being within easy access to a city where diplomatic representatives are stationed. The Council agreed, upon the suggestion of Mr. Viljoen, the delegate from the Union of South Africa, that because of the limited funds available to FAO, the financial implications must necessarily be given special attention.

After consultation with the Chairman of the Sub-Committee, I have the honor to request any comments on the report itself, as well as a detailed indication of any specific proposals regarding a suitable site which your Government might wish to submit. Such proposals should be sent to me on or before July 1st, 1948, in order that the Sub-Committee can consider them along with other proposals that may be received, with a view to submitting to the next Session of the Council a list of proposed sites together with an appraisal of their relative merits.

It will be very much appreciated if your Government will consider this matter as urgent.

Accept [etc.]

NOBLE CLARK
Acting Director General

SIR: I refer to your communication of May 25, 1948 with reference to the establishment of a Committee on Site of the Council of the Food and Agriculture Organization of United Nations to consider such information as may have been sent to the Director General by Member Governments of the Organization with regard to the establishment of the permanent site of the Organization in their countries. The Government and people of the United States would consider it an honor for the permanent site of the Organization to be located in this country and will undertake to assist the Organization in developing adequate headquarters facilities in the United States. As evidence of the interest of the American people the Secretary of Agriculture has advised me of letters he has received from Allen B. Kline, President, American Farm Bureau Federation, John W. Davis, Executive Secretary, National Council of Farmer Cooperatives, Russell Smith, Legislative Secretary, National Farmers Union, Albert S. Goss, President, National Grange and Charles E. Jackson, General Manager, National Fisheries Institute of the United States, all of whom indicate their keenest interest in having the FAO located permanently in this country.

I realize that it may take some time to arrive at a decision as to an appropriate permanent headquarters arrangement after the needs of the Organization are definitely determined. During the period while the Organization is located in its temporary headquarters in Washington every effort will be made to see that measures are taken to make available adequate headquarters facilities for the Organization.

Very truly yours,

G. C. MARSHALL

Annual Report of the Secretary-General on the Work of the Organization ¹

On July 5, 1948, the Secretary-General of the United Nations released his third annual report on the work of the organization, covering the period from July 1, 1947, to June 30, 1948.

Emphasis at the beginning of the introduction is placed on the United Nations as the chief force in holding the world together. The Secretary-General states that "It is time to stop justifying the setbacks experienced by the United Nations" and to "start by recognizing that the United Nations has become the chief force that holds the world together against all the conflicting strains and stresses that are pulling it apart."

In reviewing the record of the last year, the Secretary-General in the introduction briefly summarizes the progress made in the Palestine problem, the cases of Indonesia, Kashmir, Greece, and Korea, the Interim Committee actions, atomic energy and regulation of armaments, developments in the International Court of Justice, the accession to the general convention on the priv-

¹ Issued as U. N. doc. A/565, supplement no. 1, 135 pp. For sale by International Documents Service, Columbia University Press, 2690 Broadway, New York City. Price \$1.50.

ileges and immunities of the United Nations, international law procedures, conditions in non-self-governing territories, economic reconstruction and recovery, world-wide and regional economic cooperation, human rights, improving social conditions, and specialized agencies and the question of coordination.

The Secretary-General concludes his introduction by setting forth the following proposals for strengthening the United Nations: resumption of negotiations between the United States of America, the United Kingdom, the Union of Soviet Socialist Republics, and France on the future of Germany; fuller use of the existing powers of the Security Council for the settlement of international disputes and for the preservation of peace; renewed efforts to break the deadlocks which have blocked all progress in the Military Staff Committee; creation of a small United Nations Guard Force to be placed at the disposal of the Security Council and the General Assembly; control of weapons of mass destruction other than atomic energy and also the control of bacteriological and lethal-chemical weapons; and universality of membership.

In conclusion, the Secretary-General stresses the importance of the United Nations to the future as follows:

"Finally, I would urge once again upon Member Governments the importance to the future of the United Nations and to the more rapid development of world law, and respect for law, of giving all possible weight and support to the decisions of the General Assembly and of the Councils, even though they be in the form of recommendations to the Member States.

"The growth in effectiveness of the Organization will be measured by the extent to which it draws upon and adapts to new uses the rich reservoir of historical experience in parliamentary institutions and the other institutions of democratic government. It is necessary that the practice of obeying the will of the General Assembly should be extended and more firmly established year by year. Only in this way can we advance toward the world rule of law, which is the ultimate objective of us all."

The first part of the report reviews the political and security questions involving Palestine, the Free Territory of Trieste, Egypt, Indonesia, India, and Pakistan, Czechoslovakia, Spain, Korea, measures against propaganda, voting in the Security Council, Interim Committee, and others. The second part discusses economic and social questions relative to relief needs, full employment, trade, fiscal needs, transport and communications, human rights, status of women, standards of living, narcotic drugs, and coordination and relations with specialized agencies. The third part touches upon the questions of trusteeship and non-self-governing territories; and the fourth, legal aspects pertaining to the International Court, codification of international law, privileges and immunities, registration of treaties and international agreements, and the emblem and flag of the United Nations. The fifth and sixth parts cover the conditions of development of public understanding, organization, administration, and finance respectively.

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¹ Printed materials may be secured in the United States from the International Documents Service, Columbia University Press, 2960 Broadway, New York City. Other materials (mimeographed or processed documents) may be consulted at certain designated libraries in the United States.

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INTERNATIONAL ORGANIZATIONS AND CONFERENCES

ICAO Regional Air Navigation Meetings

EUROPEAN-MEDITERRANEAN

The European-Mediterranean Regional Air Navigation Meeting of the International Civil Aviation Organization (ICAO) held at Paris May 4, 1948, was the initial meeting of the second series of Regional Air Navigation Meetings. Subsequent meetings in the second series are expected to take place in the other nine ICAO regions during the next three-year period. This meeting was conducted to modernize and amplify the findings and recommendations of the first European-Mediterranean meeting which was held at Paris in May 1946 and to resolve certain problems that had arisen during the intervening two years with respect to aircraft operation, telecommunications, radio aids, meteorology, and search and rescue. Fifteen voting states, five observer states, and five international organizations were present.¹

The United States Delegation, under the chairmanship of C. P. Burton, Civil Aeronautics Administration, consisted of members from the Departments of Air Force, Commerce, Navy, and Treasury and from the Civil Aeronautics Board, Federal Communications Commission, and the Transport Association. The Delegation was represented by representatives from OMCUS and USAFT, who brought the latest information from the United States-occupied territories in Austria and Germany.

The meeting was organized into a general committee and four technical committees which met separately to discuss aircraft operation, telecommunications and radio aids, meteorology, and search and rescue problems. Normally, each technical committee formed two or more working groups which laid the groundwork and prepared draft material for more formal discussion and resolution by the Technical Committees and approval by the General Committee.

At the first meeting of the General Committee on May 4, Timothy O'Driscoll of Ireland, D. Guenau of France, and V. G. Masdal of Denmark, were elected Chairman, first Vice Chairman, and Second Vice Chairman respectively of the general committee. Frank Entwistle, Deputy Chief of the ICAO Air Navigation Bureau, was appointed Secretary General of the meeting.

The results of the meeting were quite satisfactory to the United States as the United States

position as approved by the Air Coordinating Committee was upheld throughout with but one minor exception wherein the metric system for transmission of altimeter settings was adopted in lieu of the U.S.-sponsored English system (i.e. millibars instead of inches of mercury). Specific accomplishments in the four technical fields are given in brief form in the sections that follow.

Aircraft Operation

In the consideration of standardization of approach procedures it became apparent after considerable discussion that complete standardization could not be reached at this meeting. However, as the procedures now in effect at international airports already conformed to those in practice, there appeared little to be gained by prolonging the discussion here. Therefore, it was decided that the matter should be referred to the November meeting of the ICAO Operations Division in Montreal where the standardization of approach procedures could be accomplished on a world-wide basis.

The subject of altimeter settings provoked considerable discussion as the United States, Denmark, the Netherlands, Norway, and IATA proposed continued use of QNH² while France, Italy, Switzerland, and the United Kingdom favored changing to QFF.³ Although it has been proved that no ideal system exists to cover traffic separation, terrain clearance, and approach to landing simultaneously, it was shown that the QNH system

¹ Voting states: Czechoslovakia, Denmark, Egypt, France, Greece, Ireland, Italy, Netherlands, Norway, Portugal, Union of South Africa, Sweden, Switzerland, United Kingdom, United States; Observer states: Austria, Brazil, Finland, Luxembourg, Rumania; International organizations: International Air Transport Association, International Aeronautical Federation, International Meteorological Organization, International Civil Aviation Organization.

² QNH is the code designation indicating the atmospheric pressure at station level converted to mean sea level in accordance with standard atmosphere. It is normally read directly from the station altimeter after it has first been set to the station elevation.

³ QFF is the code designation indicating the atmospheric pressure at station level converted to mean sea level in accordance with meteorological practices. It is normally obtained by reading the station barometer and adjusting the value by use of meteorological tables.

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was basically more practical and accurate under all conditions than any other system. As a result the decision of the meeting was to continue use of QNH.

Airport saturation, as evidenced by unreasonable delays or diversions, was studied and the basic concept of prevention of saturation by improvement of facilities and services was advanced as a much more desirable solution than the concept of the State exercising control by forcing curtailment or staggering of schedules. It was agreed that saturation problems were unique to each airport and as such must be solved by individual studies conducted locally.

Telecommunications and Radio Aids to Navigation

The Communications Committee, in its study of fixed aeronautical telecommunications network organization, developed a short-term plan involving revision and augmentation within the principle of existing organization and a long-term plan involving considerations of new principles for the organization. The former plan was based on the European Interim Fixed Radio Service prepared by ICAO and brought into force on April 20, 1948. The latter plan was based on the division of the European-Mediterranean region into a number of subregions, each served by a subregional Communications Center having (a) direct high capacity circuits to communication centers serving other subregions and (b) circuits to National Communication Centers and major aerodromes within its own subregion. These plans were also examined as to their sufficiency for search and rescue requirements and were considered adequate, bearing in mind the degree of priority that would be appropriate to traffic concerning a distress operation.

Considering meteorological fixed telecommunications services, the committee endorsed the IMO resolution taken at the Brussels Conference in March 1948, which recommended the establishment of a teletypewriter ring system for western Europe. Area and subarea broadcasting systems were also discussed, and desirable changes in frequencies, power, and schedules were recommended.

During consideration of the aeronautical mobile telecommunications services, the committee recommended provision of an additional HF radio-telegraph channel to relieve the present congestion on 6510 kilocycles. Continued use of MF radio-telegraph is still required at certain places, and the committee recommended that these requirements be resolved between airline agencies and state administrations concerned.

Extension of the use of VHF radiotelephony for aerodrome, approach, and area control was recommended with selection of frequencies for this purpose to be made with consideration of the present equipment limitations from those now in use in the European-Mediterranean region and adja-

cent regions. Deletion of two high frequencies now used for approach and aerodrome control that have been found to be not suitable for the service was also recommended. Additional high frequencies that are more suitable for this service were listed.

Handling of flight information and airline operating agency traffic was discussed by the committee with the result that a recommendation was drawn up concerning provisions for air/ground communications to transmit this traffic over long and medium distances. Since it was not desirable to utilize the existing route frequencies for this purpose, a channel in each of the 6, 8, 12, and 17 megacycle bands was recommended for allocation to this service. As an interim measure, one channel in each of the 6, 11, and 17 megacycle bands was recommended.

So far as the ultimate assignment of very high frequencies for world-wide application was concerned, the committee submitted a report and recommendation to ICAO to the effect that selection of VH frequencies should be made from those not in use in other regions taking into consideration the adaptability to aircraft equipment now in use.

Simplex and duplex systems of radiotelegraph operation were reviewed in detail, and the conclusion reached that the needs of the European-Mediterranean region would be served best by simplex or a modified form of simplex operation (which might be called adjacent channel simplex in which the ground to air frequency is on the same channel but slightly different from the air to ground frequency. It was further agreed that the separation of these adjacent frequencies should not exceed 5 kilocycles in any part of the HF spectrum.

In the committee's 26th recommendation, procedures for aeronautical mobile distress communications were proposed for inclusion in the European-Mediterranean regional manual.

Turning to radio aids to air navigation, the committee recommended that continuous operation of all consol stations be maintained and these stations transmit proper identification signals. It was noted no Loran had been installed for use in the region, and in the absence of any requirement for Loran no recommendations were made on this subject. So far as HF/DF stations were concerned, the committee tabulated those in existence under construction or proposed and recommended that no existing HF/DF stations in the region be closed unless satisfactory alternates were available. Similar studies were made of VHF/DF and MF/DF with recommendations that VHF/DF be installed as a supplementary aid and that existing MF/DF installations be kept in service.

The committee noted that the increase of European air traffic together with the slow rate of implementation of new navigational aids necessitated the retention of existing MF high power

beacons continuously and the installation of beacons at a number of selected locations. Recommendations for location and operation of medium power and MF low power radio beacons were also made.

Regarding the distribution of short distance radio to air navigation, the committee found the chains now operating or being installed to be efficient and therefore put forward no recommendations for additional chains. Dealing with HF omnidirectional range the committee felt it had not been satisfactorily informed on the international readiness of the VHF range and thus found it impracticable to comply with the ICAO Civil Radio Technical Division's recommendation that specific locations be selected for the installation of this range. No additional MF radio beacons were recommended but the continuous operation of those now in service was urged.

Dealing with instrument aids to landing, the committee reaffirmed the recommendation of the European-Mediterranean Regional Air Navigation Meeting that instrument landing systems should be installed at all regular and alternate aerodromes and recommended that such installations be made as quickly as possible and that they be made in accordance with the ICAO Special Civil Radio Technical Division's report. Exceptions to this may be made at some inland aerodromes where conditions of low visibility are practically unimprovable. In addition to the ILS, the committee recommended that ground controlled approach equipment be installed at regular and alternate international aerodromes where indicated by local conditions or traffic density. Lorenz/SBA and SSB equipment is recommended for continuous operation in service where presently installed. The use of aerodrome control radar was encouraged and priority for MF low power locator beacons was emphasized.

Finally, during the study of procedures the committee noted that the *ICAO Procedures for Navigation Services, Communications Procedures*, third edition, had been introduced throughout the world on April 15, 1948. In extension of these world-wide procedures certain elementary procedures were developed to solve certain communications problems that were unique to the European-Mediterranean region. Recommendations were also made with respect to international NOTAM services, operating procedures for fixed telecommunication service communications stations, and radio teletypewriter operation.

Meteorology

The committee on meteorology considered the meteorological facilities necessary to provide aircraft in the European-Mediterranean region with accurate weather information and the procedures for the dissemination of the information obtained. With respect to the facilities, necessary net-

works of surface observation stations, of upper air stations, and of main and dependent forecasting stations were planned, and an integrated teleprinter network in western Europe was approved for meteorological telecommunications.

Improved procedures for the exchange of meteorological information between Europe and North America were developed, and schedules and contents of the area and subarea meteorological broadcasts throughout the ICAO European-Mediterranean region were rearranged to improve the service they furnish.

Supplementary meteorological procedures to deal with special problems unique to the European-Mediterranean region that are not covered by the ICAO world-wide meteorological procedures were revised in detail so as to provide a more satisfactory basis for routine and special meteorological protection to aircraft.

The committee also devoted considerable study to the relationship between the documents and regulations of ICAO and the International Meteorological Organization. After noting certain conflicts, uncertainties, and variations in effective dates for implementation that existed on comparison of the documents of the two organizations, the committee determined the precise manner in which these are to be resolved.

Finally, the committee decided to postpone further consideration of the request for a stationary weather ship in the North Sea until the North Atlantic stationary weather ship program has been fully implemented.

Search and Rescue

The Search and Rescue Committee, during their study of search and rescue facilities, reviewed those facilities provided for the European-Mediterranean region at the present time and decided that, if these existing facilities are maintained at the current level of operations, the search and rescue coverage for the region would be adequate. In this respect, the committee recommended that the ICAO regional office should prepare semi-annually a chart or tabulation of search and rescue facilities in the region. This information is to be transmitted to ICAO for appropriate dissemination to the states of the region and such other states as may be interested in having this information currently available. To assist the Secretariat in this work, recommendations were formulated which were designed to elicit information from states not represented on the committee as to search and rescue facilities available in those states.

Dealing with aircraft emergencies the committee formally and unanimously accepted specific definitions for three phases of emergencies. These are first, the Uncertainty Phase; second, the Alert Phase; and finally the Distress Phase.

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As indicated by the names, these phases range in severity, the first being only uncertainty; the second, apprehension; and the third, grave and imminent danger. Actions to be taken by Air Traffic Control and by Search and Rescue organizations under each of these phases were detailed by the committee.

The committee put forward a recommendation

urging early action on completion of agreement to permit immediate transit of borders by Search and Rescue aircraft and further recommending that ICAO urge the acceptance of the principles and implementation of the actions recommended in the report of the Preparatory Committee of Experts on the Coordination of Safety at Sea in the Air.

NORTH ATLANTIC

The North Atlantic Regional Air Navigation Meeting of the International Civil Aviation Organization (ICAO) was held at Paris May 18-31, 1948. The meeting was convened to amplify and to bring up to date the studies and recommendations made at the PICAO North Atlantic Route Service Conference held at Dublin, in March 1946.

Twelve voting states, two observer states, and four international organizations were present.⁴

The United States Delegation, under the chairmanship of C. P. Burton, Civil Aeronautics Administration, consisted of members from the Departments of Air Force, Commerce, Navy, and Treasury and from the Civil Aeronautics Board, the Federal Communications Commission, and the Air Transport Association. The Delegation was assisted by advisers from the Civil Aeronautics Administration Field Office in Paris and from the military command of the USAFI in Germany.

The General Committee met in plenary session on May 18 to elect its officers and to organize the technical sessions. Group Capt. H. R. Graham of the United Kingdom was elected chairman of the General Committee with D. Haguénau of France and S. L. Hof of the Netherlands as first and second vice chairman. Ivor McClure of ICAO was appointed Secretary General of the meeting. Five technical committees were formed to deal concurrently with aircraft operation, including operating manuals, air traffic control, meteorology, search and rescue, and telecommunications and radio aids to navigation.

The results of the meeting showed general acceptance of the U. S. position as approved by the Air Coordinating Committee and were quite satisfactory to the United States. The sections that follow give the detailed accomplishments in each of the technical fields mentioned above.

⁴ Voting states: Denmark, France, Ireland, Canada, Iceland, Mexico, Netherlands, Norway, Portugal, Sweden, United Kingdom, United States; Observer states: Guatemala and Turkey; International Organizations: Fédération Aéronautique Internationale, International Air Transport Association, International Civil Aviation Organization, International Meteorological Organization.

Aircraft Operation

The subcommittee dealing with aircraft operation had three primary problems to resolve, namely, the applicability of uniform instrument approach and landing procedures for each international aerodrome in the region; the practice to be followed for setting altimeters for vertical clearance of aircraft, navigation, and during instrument approach and landing; and the consideration of contracting states experience with the regional manual.

Reviewing instrument approach and landing procedures, the subcommittee found that the procedures in use at present were, in general, individually satisfactory although uniformity between procedures at different aerodromes was lacking. As it was the view of those present that standardization of such procedures should be on a worldwide basis rather than on a regional basis, the subject was referred to the ICAO Operations Committee as a matter of greatest urgency for resolution at their next meeting in Montreal.

The subject of altimeter settings evoked prolonged discussion and was especially difficult to resolve because of its interlocking relationship with the Air Traffic Control Committee's work with respect to control zone boundaries and change-over points. It was finally decided that the standard setting of 1013.2 millibars would be used for en route navigation in the North Atlantic oceanic control areas, and that QNH altimeter settings would be used in other North Atlantic control areas and flight information regions.

The regional manual was considered in detail, which progressed from determination of the basic conception of regional manuals through the substantive content, format, layout, and system of amendment to a criticism of the existing North Atlantic manual.

Basically, it was agreed that regional manuals were essential to the safe and efficient conduct of international air navigation and that the effective production, dissemination, and use of the regional manual is of prime necessity if the aims and objectives of ICAO are to be realized. Consideration of the next the varied information to be contained

nal manuals, the committee agreed unan-
sly that greater usefulness would be achieved
regional manuals were issued in two parts, each
separate binder, one constituted to fulfil the
fic operational requirements of flight crews
the other to supply information to ground
nnel.

the committee, after examining comments of
racting states, considered that the North At-
regional manual in its present form was in-
adequate and therefore made numerous recom-
mendations for the purpose of improving the
fulness of information in the manual. Special
basis was placed on systems of amending the
manual so that it will present up-to-date infor-
mation. In this respect it was recommended that
efficient NOTAM service as a potential means
amending the manuals be established prior to
production of future regional manuals.

Air Traffic Control

The Air Traffic Control Committee first directed
attention to the existing North Atlantic con-
trol areas and recommended certain revisions of
boundaries that appeared desirable to effect
control of air traffic and to eliminate over-
lapping of control areas in adjacent ICAO regions.
New boundaries were precisely defined and
the Arctic Circle for the northern limit and
60° N latitude circle as the southern limit.
Eastern and western limits are formed by a series
of lines passing through offshore points approxi-
mately 100 miles from the coastlines of Europe,
Africa, and North America. Six oceanic control
areas were defined in the new North Atlantic con-
trol area and have the area control centers located
at Reykjavik, Iceland; Stavanger, Norway; Shan-
ty, Ireland; Prestwick, Scotland; Santa Maria,
Azores; New York; and Moncton, Canada. Areas
defined in the formerly defined North Atlantic
control area but omitted from the newly defined area are
considered as Flight Information regions,
within which local control areas may be established as
necessary and within which domestic flight rules
apply. Approach control, aerodrome con-
trol, and the necessary control zones were recom-
mended for establishment at all regular inter-
national aerodromes serving or within the North
Atlantic control areas.

A series of recommendations on facilities the
committee detailed modifications to Flight Infor-
mation regions necessary to make them consistent
with the newly defined boundaries and detailed
communication requirements for air traffic
control services.

Turning next to a study of air traffic control
procedures, the committee recommended that the
5th edition of *ICAO Procedures for Air Naviga-
tion Services, Air Traffic Control* be implemented
in the North Atlantic region on October 1, 1948,
and that such future amendments as may be ap-

proved by the ICAO Council should automatically
come into force in the North Atlantic region on
the date specified by the ICAO Council. In addi-
tion to the world-wide procedures recommended
for adoption, the committee recommended a series
of supplementary procedures for application in
the North Atlantic region. These supplementary
procedures establish the standard altimeter setting
of 1013.2 millibars for use in oceanic control areas,
and QNH altimeter settings for local control
areas; require compliance with instrument flight
rules by all flights operating through the North
Atlantic oceanic control areas and extending more
than 100 nautical miles from the shoreline; and
establish certain special details for drafting and
handling air traffic control messages.

Finally the committee agreed that maintenance
of the Air Traffic Control Facilities in Iceland
should be retained and recommended that the lo-
cation of the area control should be moved from
Reykjavik to Keflavik when appropriate facili-
ties are available at Keflavik so as to permit closer
coordination between area control personnel,
meteorological personnel, operating agencies, and
pilots.

Meteorology

The committee on meteorology dealt with
meteorological facilities, meteorological proce-
dures, and meteorological telecommunications.
During their consideration of facilities the com-
mittee established plans for the networks of sur-
face observation stations, the networks of upper
air stations, and the networks of main and depend-
ent forecasting stations required for the meteor-
ological protection of aircraft in the North At-
lantic region. Particular attention was given to
the meteorological facilities of Iceland and recom-
mendations were prepared detailing the extent
and types of meteorological facilities and services
that should be provided in Iceland under the pro-
posed Joint Support program. A study was also
made of the North Atlantic ocean weather station
program. Agreement was reached and the com-
mittee recommended the continuance of the ocean
weather station program as originally established.
The committee decided to delay recommendations
for additional service commitments from existing
stations or for alterations in the present positions
of the stations at least until further definite in-
formation is available regarding the full imple-
mentation of the entire 13-ship station program.

Directing their attention to meteorological pro-
cedures, the committee agreed on the codes and
procedures to be used for exchanging meteorologi-
cal procedures between Europe and North
America, accepted QNH as the value to be used
for altimeter settings for use in terrain clearance
and vertical separation of aircraft, and made rec-
ommendations as to the general manner in which
the message checking procedures are to be estab-

lished and carried out with a view to reducing present delays in the transmission and reception of the various categories of meteorological information exchanged. With respect to the published *ICAO Procedures for Meteorology* and the *North Atlantic Supplement* thereto, the committee made detailed recommendations for a revision of the Supplement in order to provide a more satisfactory basis of routine and special meteorological protection of aircraft.

Dealing with meteorological telecommunications, the committee recommended the establishment and scheduling of a system of broadcasts containing terminal forecasts and terminal reports for the benefit of aircraft flying the North Atlantic. For collection and dissemination of weather data in the North Atlantic, the committee recommended a system that is primarily an exclusive meteorological radio-teletypewriter network, supplemented by the use of operational channels between points where the amount of weather data traffic is not heavy.

The committee also devoted considerable time to a determination of the precise manner in which the existing uncertainties regarding ICAO and International Meteorological Organization documentation, and effective dates of implementation, are to be resolved.

Search and Rescue

The Search and Rescue Committee tabulated and reviewed the search and rescue facilities provided for the region at the present time and decided that, if the organization was maintained at the current level of operations, the present facilities would provide adequate coverage for the region. A minimum facilities recommendation was unanimously approved by the committee.

The initial Search and Rescue report drawn up and approved by the PICAO North Atlantic Route Service Conference at Dublin in 1946 was reviewed and the committee found the facilities report originally set forth therein to be a very excellent study of the conditions which continue to exist in the region today. Utilizing the information in this report together with the current air traffic density figures, the committee recommended the adoption of the original eight-base plan as proposed by the Search and Rescue Committee at the 1946 Dublin Conference.

During their review of the second European-Mediterranean Regional Air Navigation Meeting Search and Rescue report, the committee found that a number of recommendations of that meeting were also applicable to the North Atlantic region and consequently included them in its report. The foremost in these recommendations is the definition of the three phases of aircraft emergencies and the action required by the SAR and ATC organizations under each of these conditions.

Reviewing the report of the Preparatory Committee of Experts on the Coordination of Safety of Sea and in the Air, the SAR Committee recommended that ICAO urge its contracting states to accept the principles contained in that report with special reference to paragraph 21 and to the consolidated list of subjects requiring coordination which is set forth in the annex to that report.

Among other recommendations included in the final report the committee urged, from a SAR standpoint, the early implementation of the ocean station-vessel program; asked that the ICAO Training Section devise a plan for the circulation of search and rescue training films among member states of the region; and proposed certain revisions to the draft ocean weather station operational handbook.

Finally, statements for inclusion in the committee's final report were obtained from contracting states represented at the meeting as to the current degree of implementation and as to future intent with reference to their implementation of the standards and recommended practices set forth in the *ICAO Procedures for Air Navigation Services, Search and Rescue*, third edition.

Telecommunications and Radio Aids to Air Navigation

The Communications Committee divided its attention between facilities required for communications in the North Atlantic region, which included fixed telecommunication services, aeronautical mobile telecommunication services, and radio aids to air navigation; and procedures for the operation of the facilities selected.

During the study of fixed telecommunication services, the committee examined the entire circuitry of the North Atlantic region and after consideration of all proposals for a change developed an amended plan to provide the most effective communication with a minimum number of frequencies. In the course of these studies recognition was given to the increased circuit capacity to be realized upon implementation of duplex radio-teletypewriter circuits.

Considering next the aeronautical mobile telecommunications services, the plan for en route ground communication services was amended to reduce the families of frequencies to be guarded by aeronautical air-ground communication stations. As a result, each station will maintain continuous watch on two families of frequencies instead of three and will have its primary activity on one of the families. Adjacent stations will maintain primary service on the other family. Agreement was also reached on a plan for frequency utilization of the North Atlantic route frequencies, taking into consideration the distribution of load factor and propagation characteristics of the frequencies. Use of this plan

ected to reduce interference and improve communication with aircraft. Provisions were included for the introduction of radio telephone en route communication when a radio frequency assignment for this purpose can be obtained.

The committee approved a plan transmitted to the Meteorological Committee for the inauguration of weather report broadcast service for the benefit of en route aircraft. This system takes the form of schedules staggered among the major aeronautical communications stations in such a fashion that an en route aircraft can receive the complete broadcast from each of the stations in turn. Transmission of weather information by this method is expected to reduce requests for weather information from individual aircraft with the result that a substantial decrease can be anticipated in the volume of communications required to be handled on the en route frequencies. Turning to radio aids to air navigation, the committee recommended that all existing aids be maintained in service until satisfactory replacements conforming to the Special Radio Technical Division (COT) standards have been placed in service. In particular, the committee recommended retention of the Northeast standard Loran in and of the consol stations in service at this time. The committee reaffirmed the recommendations of the previous North Atlantic Conference for the establishment of three additional consol stations, but the prospects of their actual erection

appear clouded by their high cost and the fact that consol seemingly will not be the world-wide standard long range navigation aid to be accepted by ICAO. The committee was unable to recommend specific sites for a large scale installation program for very high frequency omnidirectional ranges with distance measuring equipment but did agree that these installations should be carried out by states at selected locations to obtain operational experience with these aids. The committee also agreed upon a number of standardizations desired in the technical characteristics of the ILS and SCS-51 aids to approach and landing.

With respect to communications procedures, the committee agreed on the number of connections which will constitute the maximum teletypewriter line length; thereby, achieving much needed standardization in this respect. The committee also recommended a standard emergency and distress procedure for inclusion in the North Atlantic regional manual; and in recognition of the present use of two emergency and distress frequencies in the North Atlantic region, recommended that ICAO obtain agreement for the use of one frequency for this purpose by all contracting states in the North Atlantic region.

Finally, in a joint meeting with the Search and Rescue Committee and the Meteorological Committee, the *Ocean Weather Station Vessel Handbook* was revised in accordance with the United States recommendations.

S. Delegations to International Conferences

Joint Brazil-U. S. Technical Commission

[Released to the press August 20]

The United States members of the Joint Brazil-United States Technical Commission will sail from New York on August 27, 1948, on the S. S. *Brasil* and expect to arrive in Rio de Janeiro about September 7. At the request of the Brazilian Government, the United States has cooperated in the organization of the Joint Brazil-United States Technical Commission for the purpose of making a study of Brazilian resources and capacity for economic development.

The Brazilian and United States sections of the Commission will be assisted by a technical staff to be furnished by their respective Governments. The chairman of the Brazilian section and the chairman of the United States section will serve as co-chairmen of the Commission.

John Abbink has been appointed by the President as chairman, with the personal rank of Minister, of the United States section. The other two members of the United States section are Harold Roelse and Dr. Harry L. Brown.

Technical advisers to the United States section of the Commission will be as follows:

Adviser on—

Agriculture . . .	Carl P. Heisig, Chief, Division of Farm Management and Costs, Bureau of Agricultural Economics, Department of Agriculture
Banking	Phillip Jacob W. Glaessner, Economist, Foreign Research Division, Federal Reserve Bank of New York, New York City
Banking	Arthur B. Hersey, Economist, Division of Research and Statistics, Board of Governors, Federal Reserve System
Fiscal affairs . .	Herbert K. May, Assistant Chief, Latin American Division, Office of International Finance, Department of Treasury
Manpower	Edward L. Keenan, Deputy Director, Bureau of Employment Security, Federal Security Agency
Minerals	William D. Johnston, Chief, Section of Foreign Geology, Geological Survey, Department of the Interior
Power and industrial development.	Thomas E. Hibben, Adviser, Foreign Economic Development, Office of International Trade, Department of Commerce

ACTIVITIES AND DEVELOPMENTS

Transportation Edwin W. James, Chief, Inter-American Regional Office, Public Roads Administration, Federal Works Agency

Executive secretary of the United States section will be John C. A. Cady, assistant chief, Division of Investment and Economic Development, American Republics Branch, Department of State. The Secretariat will be composed of Gladys I. Poticher of the Department of State and Mary E. Herron of the Department of the Treasury.

Pursuant to the terms of reference, the Joint Brazil-United States Technical Commission will endeavor to analyze the factors in Brazil which are tending to promote or to retard the economic development of Brazil. This will involve a broad appraisal of the manner, directions, and rates of development of the Brazilian economy, looking toward the most effective and balanced utilization of Brazilian resources. The Commission will give particular attention to the capacity of Brazil for economic expansion through the maximum use of its internal resources. The Commission is not authorized to undertake to appraise the merits of specific projects or to evaluate the desirability of obtaining foreign financing. The Commission, however, will consider measures designed to encourage the flow of private capital to Brazil and, where appropriate, may make broad recommendations relative to measures which might facilitate economic development in Brazil.

The Commission will direct its attention toward an analysis of (1) Brazil's natural and capital resources; (2) the supply of labor, particularly skilled labor; (3) problems in fiscal and banking fields; (4) problems of domestic and international trade; and (5) the position of Brazil in the world economy.

The organization of this Joint Brazil-United States Technical Commission is a further instance of the cooperative work encouraged by the United States Government to assist the other American republics in attaining the comprehensive development of their resources.

Conference on General Agreement on Tariffs and Trade

The Department of State announced on August 16 the composition of the United States Delegation to the Second Session of the Contracting Parties to the General Agreement on Tariffs and Trade scheduled to convene at Geneva, on August 16, 1948. The United States Delegation is as follows:

Chairman

Leroy D. Stinebower, Special Assistant to the Assistant Secretary for Economic Affairs, Department of State

Vice Chairman

John M. Leddy, Adviser, Division of Commercial Policy, Department of State

Advisers

Carl D. Corse, Acting Associate Chief, Division of Commercial Policy, Department of State

Walter Hollis, Office of the Legal Adviser, Department of State

William L. Marbury, Department of the Army

The meeting of the Contracting Parties will consider various technical matters affecting the present operation of the General Agreement on Tariffs and Trade concluded at Geneva in October 1947 and future procedures with regard to it. Tariff negotiations scheduled at Geneva are solely those designed to get additional countries to participate in the general agreement.

It is expected that representatives from the countries which have put the general agreement into provisional effect will attend. These countries are Australia, Belgium, Brazil, Burma, Canada, Ceylon, China, Cuba, Czechoslovakia, France, India, Lebanon, Luxembourg, Netherlands, New Zealand, Norway, Pakistan, Southern Rhodesia, Syria, Union of South Africa, the United Kingdom, and the United States. The forthcoming meeting is being held in accordance with agreement reached at the first session of the contracting parties held at Habana, February 28-March 24, 1948.

DATE OF UNESCO CONFERENCE TO BE ANNOUNCED IN PARIS

[Released to the press August 19]

Decision on the time and place of the Third Session of the General Conference of the United Nations Educational, Scientific and Cultural Organization will be made at an extraordinary session of representatives of member nations of UNESCO, to be held in Paris, September 15, it was announced by the Department of State on August 19.

The Conference, originally scheduled to open in Beirut, Lebanon, on October 18, was postponed last week. UNESCO announced that the Secretary General of the United Nations recommended postponement because of the United Nations General Assembly meeting which opens in Paris in September.

UNESCO's Executive Board will meet in Paris, September 3, and start consideration of the problems resulting from postponement of the Conference. The final decision on the matter will not be made, however, until the extraordinary UNESCO session later in the month.

THE DEPARTMENT

Interim Office for German Affairs Established

[Released to the press August 17]

to carry out the provisions of Public Law 798, Congress, which gives the Department of State authority to perform consular functions for German nationals in the United States and its territories and possessions, an Interim Office for German Affairs has been established within the Department of State.

The Interim Office for German Affairs is authorized to perform certain consular functions for German nationals within the United States and territories and possessions. The following services will be performed as soon as administrative arrangements have been completed:

issuance of identity and travel documents.

Welfare and whereabouts inquiries.

The following miscellaneous notarial and other services:

-) authentication of documents
-) translation of birth, marriage, and death documents
-) certification of translations
-) registration of marriages, births, and deaths
-) recording of wills
-) administration of oaths

In connection with the performance of these services, Public Law 798 authorizes the Department of State to charge appropriate fees.

To address all correspondence in this connection the Interim Office for German Affairs, Department of State, Washington 25, D. C.

PUBLICATIONS

Department of State

Available by the Superintendent of Documents, Government Printing Office, Washington 25, D.C. Address requests to the Superintendent of Documents, except in the case of free publications, which may be obtained from the Department of State.

Transport Services: Rights of United States Airlines in Ceylon. Treaties and Other International Acts Series 1718. Pub. 3089. 3 pp. 5¢.

Agreement Between the United States and the United Kingdom of Great Britain and Northern Ireland Modifying the Agreement of Feb. 11, 1946—Effectuated by exchange of notes signed at London Jan. 14, 1948; entered into force Jan. 14, 1948.

United States Armed Forces in China. Treaties and Other International Acts Series 1715. Pub. 3095. 8 pp. 5¢.

Agreement Between the United States and China—Effectuated by exchange of notes signed at Nanking Aug. 29 and Sept. 3, 1947; entered into force Sept. 3, 1947.

Aid to Greece: Procurement of Military Equipment and Supplies. Treaties and Other International Acts Series 1718. Pub. 3105. 4 pp. 5¢.

Agreement Between the United States and the United Kingdom of Great Britain and Northern Ireland—Effectuated by exchange of notes signed at Washington July 25 and Oct. 9, 1947; entered into force Oct. 9, 1947.

Passport Visas. Treaties and Other International Acts Series 1729. Pub. 3136. 3 pp. 5¢.

Agreement Between the United States and the Netherlands—Effectuated by exchange of notes dated at The Hague July 30 and Aug. 20, 1947; entered into force Aug. 20, 1947.

United States Educational Foundation in the Philippines. Treaties and Other International Acts Series 1730. Pub. 3137. 7 pp. 5¢.

Agreement Between the United States and the Republic of the Philippines—Signed at Manila Mar. 23, 1948; entered into force Mar. 23, 1948.

Air Service: Facilities at Kastrup Airport in Denmark. Treaties and Other International Acts Series 1734. Pub. 3156. 4 pp. 5¢.

Arrangement Between the United States and Denmark—Effectuated by exchange of notes signed at Copenhagen Sept. 26 and Oct. 1, 1946; entered into force Oct. 1, 1946.

Air Service: Facilities at Don Muang Airport and Bangkok in Siam. Treaties and Other International Acts Series 1735. Pub. 3157. 6 pp. 5¢.

Agreement Between the United States and Siam—Signed at Bangkok May 8, 1947; entered into force May 8, 1947.

Air Service: Facilities in Sweden. Treaties and Other International Acts Series 1742. Pub. 3182. 2 pp. 5¢.

Agreement Between the United States and Sweden—Signed at Stockholm Sept. 30, 1946; entered into force Sept. 30, 1946.

Mutual Aid. Treaties and Other International Acts Series 1746. Pub. 2186. 3 pp. 5¢.

Agreement Between the United States and China Implementing Preliminary Agreement of June 2, 1942—Signed at Washington June 28, 1946; entered into force June 28, 1946.

Publications of the Department of State, July 1, 1948. Pub. 3219. 12 pp. Free.

A semiannual list cumulative from Jan. 1, 1948.

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September 5, 1948

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OF THE DANUBE:**

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CONFERENCE TO CONSIDER FREE NAVIGATION OF THE DANUBE

Responsibilities in the Danube Region

STATEMENT BY CAVENDISH W. CANNON¹

Chairman, U.S. Delegation

The Yugoslav delegate has mentioned a number of United States rivers not subject to international control. Most of them are national rivers by the definition which the Yugoslav delegate cited yesterday; and some can hardly be called navigable in commercial sense. On those which are, traffic moves freely. That is the crux of the problem. On the Danube, traffic does not move freely. It is a means of achieving that end that we propose riparian representation on the Commission.

Those delegates opposing non-riparian representation have all lost sight of one very important point, namely, that the riparian states themselves, particularly landlocked states like Austria, Czechoslovakia and Hungary, have a real interest in a regime with sufficient safeguards for freedom of navigation, so that their ships may sail without hindrance to the sea.

It is interesting to note that the postwar Government of Hungary, on November 12, 1945, addressed a note to the United States, British and French Governments, giving its views on the Danube question. It called attention to the great importance to Hungary of a regime which guaranteed full freedom of navigation. It suggested that the prewar system of international navigation be substituted with provisions for changes required by new conditions. The Hungarian Government did not envisage elimination of non-riparian representation, for it suggested consolidation into one Commission of the European Commission of the Danube and the International Commission of the Danube. Both Commissions, as the Conference knows, had non-riparian representation. There have been changes since 1946 but we believe the

long-term economic interests of Hungary remain the same.

Mr. Vyshinski referred to the shipping provisions of the Marshall Plan as an example of economic dictatorship, and quoted a recent unofficial news item from a British paper to substantiate this unfounded claim. What Mr. Vyshinski did not mention was the millions of tons of United States vessels transferred to the European countries since the end of the war. And today the fleets of the European countries are expanding and are fully employed, for the Marshall Plan has maintained the volume of trade of these countries. It is the United States merchant fleet that is steadily decreasing and will continue to decrease as merchant fleets of Europe are rehabilitated. I am surprised that Mr. Vyshinski raised this shipping question, for he certainly knows that his country gives preference to vessels under the Soviet flag, with respect to all of its trade. A large proportion of those vessels are owned by the United States, having been turned over to the Soviet Government during the war under lend-lease.

Those international instruments are well known. That the United States has general obligations and responsibilities in Europe, including those parts of Europe through which the Danube flows is also well known. We do not intend to abdicate those responsibilities.

¹ Made before the General Committee of the Danube Conference in Belgrade on Aug. 13, 1948, and released to the press in Washington on Aug. 16. Mr. Cannon is American Ambassador to the Federal People's Republic of Yugoslavia.

Amendments to Soviet Draft Convention

STATEMENTS BY AMBASSADOR CANNON

Articles 7E, 17, 18, 19, 20²

The American proposed amendment to Article 7, e/ is directly related to the proposed amendment substituting one new article for Articles 17, 18, 19 and the first paragraph of Article 20 of the Soviet draft, which provide for the establishment of "Special River Administrations".

Our Article 7, e/ would then read:

"To review, approve, and supervise, on the basis of proposals made by the Special Services provided for in Article 17, all measures which may be usefully undertaken in respect of the upkeep and improvement of the navigable conditions and of the administration of the sections concerned, and to insure that all charges and regulations recommended, established, or applied by the Special Services are non-discriminatory and not in conflict with the principle of free and unobstructed international navigation on the Danube, as set forth in this convention."

Article 17 would then read:

"In order to maintain and improve navigable conditions on the sections of the Danube presenting special problems such as the Iron Gates and the mouths of the Danube, the Commission shall by agreement with the riparian states concerned establish special technical and administrative services.

"Those special services shall act on the basis of agreement between the commission and the governments of the riparian states concerned under the provisions of Article 7, e/ of this convention.

"The personnel of these services shall be provided and appointed by the riparian states concerned and shall be placed under the direction of heads of services selected by the states concerned and approved by the Commission.

"The seat of each of these special services shall be determined by agreement between the Commission and the riparian state or states concerned."

I would like first to call your attention to the first paragraph of Article 7 of the Soviet draft which states:

² Made before the General Committee of the Conference in Belgrade on Aug. 13, 1948, and released to the press in Washington on Aug. 16.

"The terms of reference of the Commission shall be applicable to the Danube in accordance with Article 2."

And then to Article 2 of the Soviet draft which states:

"The regime established by this Convention shall be applicable to the whole navigable part of the Danube river between Ulm and the Black Sea, over the Sulina arm with the outlet to the Black Sea through the Sulina Channel."

Clearly, these two provisions contemplate that the jurisdiction of the Commission shall extend over the whole Danube, to which all sections of Article 7 would apply. Section e/ of Article 7, however, read in conjunction with Article 17 through 20, removes from this jurisdiction the administration of the two most important sections of the river requiring special works.

The amendment to Section 7, e/ proposed by the United States Delegation would clearly establish the primary jurisdiction of the Commission over the whole river to insure compliance with the principles of the Convention. In order to carry out such responsibilities, the Commission should have greater authority than merely the right to consult, make recommendations to, and exchange information with any special administrative bodies. Nothing in the Soviet draft Articles 17, 18, 19, or the first paragraph of Article 20 requires the autonomous Administrations to act in conformity with the principles of the Convention.

Article 7, therefore, imposes specific responsibilities upon the Commission and then fails to give it the authority to fulfill them. The United States Delegation submits its amendment to Article 7, e/ with a view to reconciling the authorities of the Commission with its responsibilities.

Past experience has shown that it is not only expedient but essential that special technical and administrative services be established to deal with the sectors of the Danube presenting special problems, such as the Iron Gates sector and the mouths of the Danube. It has been proposed by Czechoslovakia and Hungary that the Gábčíkovo-Gosson sector of the Danube also be subject to a similar administration.

The proposed new Article 17, which is submitted as an amendment to Articles 17, 18, 19 and

paragraph of Article 20, would authorize the mission, by agreement with the riparian states concerned, to establish such special technical and administrative services. It is sufficiently flexible over such additional special service as the Czechoslovak and Hungarian proposal or any other similar services which might be found necessary in the future.

I have frequently heard it said at this conference that times have changed—that the rights of the riparians must be respected and not ignored (does the claim) as in the past. Yet the proposal of the Soviet Union for the establishment of autonomous bilateral administrations at the Iron Gates and over the Maritime Danube could effectively exclude the other riparians from having any voice whatever in their administration. The United States believes that *all* riparians as well as minority of non-riparians should participate in the administration of the entire river which is important to all users. We should not forget that large areas of up-stream riparian states do not have any other waterway access to the sea. Consequently, these land-locked riparians have a right to participate in the supervision, through the mission, of the administration of these crucial navigation points on the river which provide their links to the sea and the links between themselves.

Article 38³

The American Delegation has studied with great care the wording of these various articles in the Soviet draft from the point of view of the effect to which they deal with non-discrimination. We would like nothing better than to find in the various Soviet articles the assurance of adequate safeguards for "freedom of navigation" which we have been talking so much about. Unfortunately, the United States Delegation is convinced that the Soviet draft is more shadow than substance on this matter.

I cannot accept Mr. Vyshinski's statement that there is an adequate provision in the Soviet Articles 1 and 2 for non-discriminatory treatment as it relates to port dues. Also, the United States Delegation is of the opinion that as regards the sanitary and police regulations, adequate provisions appear to be set forth in the Soviet Article 23. These Articles 23 and 24 have now been voted on. I have several times commented on the general approach of the United States to the Convention. The Convention must be considered as a whole. The United States Delegation cannot finally accept certain sentences in certain articles if they do not represent the substance of a whole document which itself will be a satisfactory one. It serves no useful purpose to have assurances of non-discriminatory treatment of certain items as port dues and sanitary regulations at the same time, there are no assurances of non-discriminatory treatment in terms of "conditions for merchant shipping", such as the right of

vessels to enter ports, to load and discharge cargo, to refuel, etc.

With this in mind, let us have a look at Articles 21 and 38 of the Soviet draft. Article 21 provides that "vessels on the Danube shall have the right, subject to regulations established by the Danube states concerned, to enter ports, to load, and discharge, to embark and disembark passengers, and to refuel, take on supplies, etc." What is the purpose of the clause "subject to regulations established by the Danube States concerned"? The adoption of reasonable regulations by individual states on this subject is in accordance with general practice, and can give no ground for objection. But what assurance is given that the users of the river will be protected against abuses in the formulation and administration of these regulations? Why does a convention for free navigation not contain clearly non-discriminatory provisions on these points?

Article 38 provides in part as follows: "vessels entering a port for loading and discharge shall be entitled to use loading and unloading machinery, load plant, stores, store space, etc., on the basis of agreements concluded with the appropriate transportation and expeditionary agencies". Now, as in the case of Article 21 I should like to ask why is there inserted this limiting clause "on the basis of agreements concluded with the appropriate transportation and expeditionary agencies", without at the same time protecting foreign shipping companies against discriminatory treatment in this respect? We had a debate a few days ago on the question of privileged companies—those Soviet-Rumanian and Soviet-Hungarian companies we have been talking about for two or three days. The United States delegation has shown what tremendous importance this clause contains. The whole question of commercial intercourse between nations by way of the Danube River is involved in these few words.

Both of these articles deal with the very essentials of trade and navigation—that is, the entering of ports and the use of port facilities. The qualifying clauses which I have read from the Soviet draft would allow a whole series of arbitrary and discriminatory actions against vessels attempting to engage in international navigation. The purpose of this Convention is to establish a regime designed to achieve freedom of navigation. I should like to ask, then, why these basic articles have been drafted in such a manner as to leave the door wide open for discrimination, unless indeed there is an intention to discriminate?

What explanation can be given as to why the principle of non-discrimination has not been spelled out in Articles 21 and 38 in the Soviet draft, as is being done in Articles 23 and 37? It

³ Made before the General Committee of the Conference in Belgrade on Aug. 14, 1948, and released to the press in Washington on Aug. 16.

may be that the answer again will be that the omission of anything making these articles really effective is due to the solicitude repeatedly professed for the sovereignty of the riparian states. If so, I believe that we have already effectively disposed of the misconception that the sovereignty of riparians is in any way at stake under an effective convention. Quite the reverse is the fact. We think that there would be more shipping on the river, the riparians would have more trade, and more actual and solid sovereignty if their ports could be used on a truly non-discriminatory basis.

My government's concern here is that the convention be such that its articles shall clearly provide for conditions which will serve as the foundation for freedom of navigation. In order to assure that, we must do more than just pay lip service to the principle. It is necessary to say precisely what we mean and say it without equivocation. And that is what the United States Delegation has tried to do in its proposed amendment to Article 38 which we now have under examination.

Let me refer briefly to the points of substance which are covered in these United States amendments. Vessels in international commerce would be assured the right of access to ports and facilities. This would include such essentials as wharfage rights, use of docks, equipment, warehouses, trans-shipment facilities, etc. The United States proposal would assure that no distinctions concerning the use of facilities could be made on the basis of flag or ownership. The United States amendment also provides that vessels engaged in international navigation in transit through the waters of any riparian states should not be *required* to enter ports or unload or trans-ship cargoes or passengers.

To assure that navigation companies could actually engage in commerce on the Danube, the United States draft would authorize such companies to establish and maintain agency offices and acquire such buildings and facilities as would be necessary for conducting their business. It is quite obvious that if these essentials are to be denied, there is also automatically a denial of non-discriminatory treatment. These agencies would represent the reestablishment of normal economic intercourse along the Danube to the direct and obvious benefit of the countries and peoples concerned. This would be in accordance with the practice followed in all trading nations.

The United States amendment also provides in some detail for non-discriminatory treatment covering a variety of charges in ports, locks, channels, etc. It further provides that all charges shall be published in tariffs, and that they shall be reasonable and designed to facilitate rather than to impede navigation.

⁴ Made before the General Committee of the Conference in Belgrade on Aug. 16, 1948, and released to the press in Washington on Aug. 17.

What is there in this statement to which objection can be taken? Objection can be taken by those anxious to retain freedom of arbit decision to exclude certain vessels from Danu ports and also freedom to hamper or exclud essential agencies of navigation companies.

I remind you that these questions are not r in an academic manner. As Mr. Vyshinski emphasized, the free and open navigation p ciples of the peace treaties have been the su of agreement by the four powers for almost years and are in treaty provisions which have in force for almost one year. Still, the rive mains stagnant in terms of the volume of t and in terms of the practical regulation of traffic. The words of the peace treaties alone not enough. If we are seriously to fulfill the poses for which this conference was called, a vention must be prepared, and a commission operate, in a manner conducive to a genui vival of trade and navigation. The qualific of the Soviet draft reveal that that document not, to any practical man, furnish the kind o strument needed.

The United States Delegation has carefully alized this draft. It finds that these crip provisions permit the continuance of exclus discrimination, yes, even of imperialism on river of a type that has been all too evident in past three years. In the truest sense of the w this draft reveals a reactionary tendency lo towards the creation of more vested interest the part of one power against the real interest all the peoples along the river.

Article 41⁴

The United States Delegation gives full sup to the British amendment to Article 41 of the viet draft.

The first part of that amendment is simila our new article to follow Article 41 and know Document Gen. Com. 26. For that reason I willing to consider the discussion on the Bri amendment as covering also the article propo by the United States Delegation and I shall ask to speak again concerning the United St amendment unless some points are raised in debate to which I might wish to reply.

The view of the United States that the regime for the Danube should be brought into sociation with the United Nations has already b set forth in my general statements at the plen sessions and during the discussion of the pream I want to say again that support of the Un Nations is a cornerstone of American foreign icy. We want to see its authority and its p tige strengthened in every way.

To this end we have proposed that there b formal relationship between the Danube Comi sion and an appropriate body of the United tions. This relationship would not place the D

Commission under the control of the United Nations. The Commission would retain its autonomy, just as those various specialized agencies, as the International Bank for Reconstruction and Development, UNESCO, and the World Health Organization, have retained their full autonomy after establishing a formal relationship with the United Nations through agreements negotiated with the Economic and Social Council. Freedom of navigation on the Danube, and the increased flow of trade which it would bring about, are matters of primary interest to the Economic Commission for Europe and more generally, to the Economic and Social Council. In our amendment, however, we have left the language in general. We want to emphasize the general principle of association with the United Nations. The detailed arrangements could not be decided by this conference alone but would have to be worked out in any case, between the Danube Commission and the United Nations.

I should like to turn now to the third paragraph of the British amendment, dealing with the settlement of disputes concerning the interpretation or application of the convention. The United States Delegation attaches great importance to this matter. All nations, whether riparian or not, whether parties to the convention or not, should have access to an impartial tribunal for the settlement of such disputes which are not resolved directly between the parties concerned or by the Commission to the satisfaction of the parties concerned. Article 41 of the Soviet draft does not in effect provide for appeal beyond the Danube Commission itself, and its Chairman would name that member of the proposed conciliation commission who would have the decisive vote. Access to an impartial tribunal is an essential safeguard, to make sure that freedom of navigation is not only provided for in the convention but is observed in practice. The important thing is to settle such disputes by the final binding decisions of a judicial body.

Obviously, the body best qualified to make such legal decisions is the International Court of Justice, which under Article 92 of the Charter is the principal judicial organ of the United Nations. In the case of disputes likely to endanger the maintenance of peace and security, recourse could be had to the Security Council under the appropriate articles of the Charter.

I might just point out that the peace treaties with Rumania, Bulgaria and Hungary make provision for an impartial tribunal empowered to hand down binding decisions, in the event that various other methods of finding a solution do not succeed. The formula is found in Article 38 of the Rumanian peace treaty. It is a long article and I will read only the pertinent section, as follows:

"Any such dispute not resolved by them within a period of two months shall, unless the parties to the dispute mutually agree upon another means of settlement, be referred at the request of either party to the dispute to a Commission composed of one representative of each party and a third member selected by mutual agreement of the two parties from nationals of a third country. Should the two parties fail to agree within a period of one month upon the appointment of the third member, the Secretary General of the United Nations may be requested by either party to make the appointment."

This arrangement is, in our view, less satisfactory than reference to the International Court of Justice. The United States, even for these treaties, had originally hoped to have provision for reference of disputes to the Court. But the treaty text does in any case provide for binding decisions reached with the participation or assistance of duly constituted authorities of the United Nations. The United States Delegation at present does not see how we can do less than that in this matter which is before us now.

STATEMENTS BY WALTER A. RADIUS
Deputy Chairman, U. S. Delegation

Article 42⁵

The remarks I have to make on the U. S. amendment to Article 42 also apply to the French proposal on Article 42 and can be considered as covering both amendments.

The provision in Article 42 of the Soviet draft that a convention of this type should come into force upon the deposit of only six ratifications is not only inequitable but is also contrary to the principle of freedom of navigation.

The provision for entry into force of the convention upon the deposit of six ratifications ignores the rights of non-ratifying states, both those who are participants here and those not represented at this Conference. The United States cannot accept the concept that this Convention can validly deprive any state of its rights without its consent.

Let us first consider the situation with respect to the 9 riparians alone. Article 42 of the Soviet draft provides that the convention shall come into force as soon as 6 states ratify. Even if the legality of this procedure were not questioned, let us consider for a moment the practical problems that this provision might present.

There can be no question but that a convention regarding free navigation on waters wholly within the territories of different states must be ratified by each of those states in order to become effective in their respective territories. A convention certainly cannot be applied to a state's territorial waters without its approval. Any effort to apply a convention to the waters within a state without its concurrence would truly be "infringement of sovereignty" by any definition. Yet, under the terms of the Soviet draft the convention would be brought into force without ratification by one of the downstream states. How could the convention be of any benefit if either freedom of access to the sea were denied, or if the convention were not accepted by a state through which traffic must flow? Obviously, there would be an endless stream of complications and disputes, which would make the convention useless for all practical purposes.

I assume that we shall be told that such a contingency cannot occur since all the 7 voting riparian states present have reached full agreement on the Soviet draft and will ratify the convention. But there seems to be some doubt whether all those 7 riparian states will ratify. Why weren't at least 7 ratifications required for entry into force of the convention?

If this convention were to come into force upon the deposit of only 6 ratifications as provided in

⁵ Made before the General Committee of the Conference in Belgrade on Aug. 17, 1948, and released to the press in Washington on Aug. 18.

the Soviet draft it could only be applied to a portion of the Danube within the national boundaries of the ratifying states. This in itself prejudices the objective of the CFM resolution to open the entire Danube river to free and unimpeded navigation.

The provision for entry into force of the convention upon 6 ratifications not only fails to accord appropriate recognition to the basic riparian rights of states on the banks of the Danube but also ignores whatever rights and interests non-riparian states have in the Danube River.

The Danube has served as an avenue of international navigation not only for the riparian states but also for non-riparian states in trade with the states on its banks. Further, since 1815, various non-riparian states have acquired rights on the Danube by treaty, and since 1856 or more international commissions on which non-riparian states were represented have been functioning under treaties.

The rights of non-riparians in connection with European rivers has been recognized in various ways. I refer, for example, to a judgment rendered by the Permanent Court of International Justice on September 10, 1929, in which the Court held that the jurisdiction of an International Commission charged with administration of the Danube River extended to the section of the Warty (Varta) and the Netze (Netsa) rivers situated in Polish territory.

The Court stated in part that a solution

"has been sought not in the idea of a right of passage in favor of upstream States but in the idea of a community of interest of riparian States."

that this community of interest in a navigable river

"becomes the basis of a common legal right of navigation, the essential features of which are the perfect equality of all riparian states in the user of the waters of the course of the river and the exclusion of any preferential privilege of any one riparian state in relation to the other;"

that the introduction of representatives of non-riparian powers on the river commissions was

"not exclusively or mainly due to the desire to afford a greater measure of protection to the interests of landlocked states;"

but was

"rather to be explained by the interest that non-riparian States may have in navigation on the Danube waterways in question;"

and that it would be difficult to understand that that interest should not be recognized

where the question of reaching the ports of the most upstream state is involved;"

the interest of all states is in liberty of navigation in both directions.

The French and the United States proposals for amendment of Article 42 would give both riparian and non-riparian states represented here an effective voice in determining whether or not a new regime shall be established for the Danube. That regime is truly in keeping with the nature and history of the Danube.

Report of French Amendment To Delete Supplementary Protocol⁶

The Delegation of the United States wholeheartedly supports the French proposal for deletion of the Supplementary Protocol from the latest draft convention. I should however like to make some comments and a few observations regarding one aspect of that protocol.

It has been said many times on the floor of this conference that the Danube Convention of 1921 is dead. The Soviet Delegation particularly has tried to show that the 1921 Convention is no longer effective. The United States Delegation finds this argument convincing in any of the Soviet Delegation's arguments on this point.

First there is the argument that the act of signature by the United Kingdom, France and Rumania of the agreement signed at Sinaia August 1938 and the signature by France, Germany, United Kingdom, and Rumania of the agreement signed at Bucharest on March 1, 1939, rendering the European Commission of the Danube, constituted the 1921 Convention. This argument is based upon the ground that two-thirds of the signatories to that convention were not considered. Reference was made in this connection to Article 42 of the 1921 Convention.

The fact that a few states may have been omitted in the formulation of the 1938 and 1939 agreements does not render the 1921 agreement void. At the most, the most effect such action could have had is to render the 1921 Convention voidable. I find in this connection the following statement in McNair's *Law of Treaties* (1938, p. 515), in which it is stated in connection with the right to terminate a treaty terminated as the result of its violation that:

A) . . . in general terms, such a right exists

B) that the exercise of this right is optional at the discretion of the party wronged;"

Since the signatory states to the 1921 Convention did not take the position that that convention was terminated by the signature of the 1938 and 1939 agreements, the signature of those agreements has not affected the validity of the 1921 Convention. By what right can the Soviet Union,

which was never a party to the 1921 Convention, insist that any alleged violation terminated that Convention?

Second, the doctrine of *rebus sic stantibus* has also been advanced as an argument that the 1921 Convention is no longer in force. What are the changed conditions which would justify the application of that doctrine? The mere fact that the Council of Foreign Ministers recognized the need for a new convention for the Danube and that the Treaties of Peace with Bulgaria, Hungary and Rumania contain provisions guaranteeing freedom of navigation on the Danube cannot justly be considered as rendering the 1921 Convention null and void. The decision of the Council of Foreign Ministers was in no wise inconsistent with the purposes of the 1921 Convention nor are the provisions of the treaties of peace inconsistent with that Convention.

What changes have occurred in the Danube which would justify the application of the *rebus sic stantibus* doctrine? How can any of the political changes which have taken place justify the application of that principle to an instrument like the Danube Convention of 1921?

I should like to quote from J. W. Garner's *International Law and the World War*, in volume 2, page 218, where there is a discussion with respect to that doctrine. This passage reads:

"The clause *rebus sic stantibus* should only be resorted to in very exceptional circumstances. All are agreed that a change of government or even in the form of government does not, in general, affect the obligation of treaties. As there is great danger in the abuse of this principle, it should be emphasized that the principle *rebus sic stantibus* 'implies a complete change in the state of things which was the basis of the treaty and one of its tacit conditions. The change of circumstances must be such as either to render the execution of the treaty difficult or impossible or to entail the performance of obligations which were not foreseen by the contracting parties and which, had they been foreseen, would never have been assumed.'"

It has been asserted that the Convention of 1921 was terminated by the war. In connection with the effect of war on treaties, I should like to refer to statements made in Hackworth's *Digest of International Law*, which has been frequently quoted in this conference as authority. I quote from page 297, Volume V of that publication:

"The effect of war on treaties has greatly perplexed the courts and administrative authorities

⁶ Made before the General Committee of the Conference in Belgrade on Aug. 17, 1948, and released to the press in Washington on Aug. 19.

DANUBIAN CONFERENCE

as well as eminent writers. The law on this subject is by no means settled. The authorities, as well as the practice of nations, present a great contrariety of views. The law on the subject is still in the making. As to executed provisions of treaties, such as those relating to boundaries and vested rights, no difficulty is presented. They are generally regarded as unaffected by war. As to the executory provisions, however, much depends upon their intrinsic character. The view has been taken that certain classes of bilateral treaty provisions, not expressly applicable to a state of war, are *ipso facto* terminated by war; that other classes are suspended during war; and that still others, though not expressly made with a view to conditions of war, may operate during war. No well-defined line of demarcation between the different categories may be said to have unanimous sanction. Much of the confusion with respect to pre-war treaties which might otherwise have resulted from the World War of 1914-18 was avoided by the treaties of peace. For example, the Treaty of Versailles provided in article 289 that the Allied and Associated Powers should notify Germany within six months from the date of the coming into force of the treaty of those bilateral treaties or conventions with Germany which they desired 'to revive' and that 'all the others are and shall remain abrogated.'

U.S. Declines To Serve on Drafting Committee

SUMMARY OF STATEMENT BY AMBASSADOR CANNON⁷

Ambassador Cannon stated that inasmuch as English was excluded as an official language of the Conference, it shows little tact to propose the United States for the drafting committee to prepare the official document of the Conference.

The Czech delegate replied that it was a mistake to employ the word "excluded" in referring to the use of English at the Conference. The United States delegate emphasized that English had been in fact "excluded" since at the opening session he had specifically asked that it be included as an official language and this request had been rejected. The Conference had already demonstrated how difficult it would be for the United States to do satisfactory work on a drafting committee of a conference where words meant different things to different delegates.

After some further debate the United States delegate replied that he could not understand how anyone could reproach the United States delegation for declining to participate in the drafting committee. He pointed out that the majority had

The supplementary protocol to the Soviet assumes that the 1921 Convention still has validity. The first paragraph of that protocol provides that:

"1. It is stated that the regime of navigation on the Danube applied formerly as well as the acts providing for the establishment of the regime, in particular the Convention of 1921, are null and void."

If the 1921 Convention is as dead as the Soviet Delegate insists it is, why does his Delegation consider it necessary to mention it at all. Once a convention is dead there is no further need to take any measures to dispose of it. Obviously the Soviet Delegation is not convinced that the 1921 Convention is dead.

The United States Delegation believes the 1921 Convention continues in fact to be a valid instrument. Accordingly, it follows that the parties to the 1921 Convention are entitled to the rights provided for in that Convention until they have agreed otherwise or until some competent tribunal has adjudicated any difference which may exist with respect to their rights. The United States Delegation has particularly in mind the position of Belgium, Greece, and Italy, which are not represented at this Conference but which have requested this Conference to respect their rights.

already virtually accepted the text of the Convention and that the work of the drafting committee is therefore purely mechanical. So the delegations, he stated, have already accepted the Soviet text *in toto*. There is therefore no need for the drafting committee. Its principal job is to give article numbers to the four new Soviet amendments. He suggested that it would have been more appropriate to discuss this during the course of the debate and said he did not understand why they were shoved in at the last moment. The United States Delegate then pointed out that he had agreed to serve on the credentials committee, adding that this acceptance certainly demonstrated that the United States delegation was indeed doing its share of work with the other delegations at the Conference. He said that he did not like the slur cast on the United States Delegation by the use of the word "unwilling", which implied that the United States was not willing to cooperate with the Conference. It is especially inappropriate, he said, that the United States Delegation should be asked to serve on this particular committee and added that he thought he had very rich reasons for that opinion.

⁷ Made before the Conference in Belgrade on Aug. 16, 1948, and released to the press in Washington on Aug. 17.

Section of Soviet Draft Convention

STATEMENT BY AMBASSADOR CANNON *

The Delegates of ten Governments have now sat at this table, flanked by deputies and experts, for nearly three weeks. We have made speeches, formed committees, and discussed specific articles of a proposed new treaty. To all outward appearances, we have gone through the motions of a formal international conference.

Anybody who has been seated in this hall or in the gallery knows that this has been a deception.

This has been a unique performance in the history of international negotiations. I know of no previous international conference where a majority of the participants, with cynical solidarity, refrained from proposing even minor changes in the text laid before them for discussion. The document about to be put to the final vote is the document which the Delegate of the Soviet Union brought to this Conference to receive a stamp of approval.

It had been our hope that the delegates around this table would be able really to work out a new regime of free navigation on the Danube. We had been thinking of an agreement which would have the following objectives:

To promote river trade within the entire Danube basin, and to invite the trade of other nations into the Danube river ports.

To assure that merchant ships of any flag may use without discrimination these waters and facilities, subject only to equitable regulations.

To set up a regime for the regulations of navigation adapted to the special problems of a great river system serving many States, and responding to the expanding requirements of modern shipping.

To coordinate the administration of this great river with other international undertakings and to establish a relationship with the United Nations.

To provide an efficient and impartial means for the conciliation of differences and for the settlement of disputes.

The draft agreement laid before us by the Soviet Delegate at the beginning of this Conference did not contain any of these things. That draft, with no significant changes, is the document we are now offering for final vote and signature. There has been no real negotiation. There has been no attempt to reconcile differences of technical opinion. There has been no compromise, even in matters of form.

In order to explain this extraordinary situation, we must say something about the character of the Conference itself.

At the opening ceremony the Soviet Delegate said:

"The convention adopted here will not have to be referred to anyone. It will be adopted by the majority of the conference and signed by those who wish to sign and will come into force without the consent of a small minority if there is a small minority."

And on our first real working day, July 31, it was made brutally clear that there was to be no real discussion of the problem for which we were brought together. There was a solid phalanx of seven Governments which were already committed to the adoption of this Soviet text, and already determined to disregard whatever proposals the Delegations of the United States, the United Kingdom or France might present. On that first working day we were told that:

"The door was open to come in; the same door is open to go out, if that is what you wish."

We did not go out; we have stayed on; trying every day to persuade this Conference to take some step toward a genuine agreement.

The Soviet draft convention was laid before us on August 2. Six other Delegations accepted it without reservation. Some of them declared it to be a perfect instrument.

To the United States Delegation, the Soviet draft, for all its declarations of good intent, does not provide the basis for reopening of the river to freedom of trade and navigation. It does not implement the recommendations of the Paris Conference or the decisions of the Council of Foreign Ministers. We think that it is a backward step in that it represents a new and determined effort to cut off certain Danubian states from their normal, and indeed their essential, intercourse with the rest of the world.

The United States objections to the Soviet draft can be summarized very briefly under five points.

First. The draft fails to prevent discrimination against shipping on the river. It provides non-discriminatory treatment only for such minor

* Made before the final plenary session of the Conference in Belgrade on Aug. 18, 1948, and released to the press in Washington on Aug. 18.

things as port dues and sanitary regulations. On the basic issues such as access to ports and facilities, the draft would leave the door open to a continuation of the exclusive and discriminatory practices that have been followed for the past three years.

Second. The draft fails to recognize the interest of the riparian states in the rest of the world and the interest of the rest of the world in trade with this region. This draft would provide a mechanism for controlling economic intercourse with outside areas, even to the detriment of some of the riparian states themselves. There has been explicit rejection of any relationship with the United Nations.

This convention also eliminates non-riparian representation on a new Danube Commission. The members of this Conference must surely realize that non-riparian representation would be the best assurance of a more effective utilization of the river and stimulation of trade and shipping.

Third. The Convention presents a weak, badly organized Commission with a river system too narrowly defined since tributaries and important lateral canals are omitted, and only one of the outlets to the Black Sea is included. To complete the picture of an ineffectual Commission, provision has been made for the establishment of autonomous river administrations outside the Commission's real control.

Fourth. Austria, which is one of the most important riparian states with its great Danubian trade, is barred from participation for the time being. The question of participation by Germany is ignored entirely.

Fifth. The convention attempts arbitrarily to nullify the 1921 Convention. These provisions are contrary not only to the rights of certain participants of this Conference, but also to the rights of other signatories of the 1921 Convention such as Belgium, Greece and Italy.

After examining the Soviet draft, the Delegations of the United States, Great Britain and France submitted twenty-eight amendments. Every one of these amendments on which a vote was taken was rejected, with seven negative votes. Every one of the articles of the Soviet draft was accepted, thanks to the votes of these same seven states.

With that on the record, it was strange to hear the talk at this table about dictatorship of the minority. There was no minority machine. The record shows even no uniformity in the minority voting.

Behind each Delegate at this table are specialists and experts. Experts in maritime law, in the practical problems of merchant shipping, in the technical problems of hydraulic works and river control, have sat here day after day listening to

these dreary political debates. Not once they, or their chief delegates with their ad grappled with the practical problems we had to solve.

When we came here the Danube River was to international trade, as the world understood that term. When we leave here there will be change—no change except that the present game of rigid Soviet control from Bratislava to the Black Sea will have been acknowledged by all Governments at this Conference.

The United States Delegation has been perfectly frank in its opinion that the special privileged position of the Soviet-controlled joint companies in Hungary, Rumania and Yugoslavia is a major obstacle to free navigation on the Danube. We maintain that this system of interlocking enterprises constitutes a huge monopolistic combine which in effect excludes the commerce of other countries from the lower Danube. So long as this exclusive system continues, we do not see how the ships of other countries can operate in these reaches of the Danube at all. We think this was one of the major problems of this Conference, but each nation of it brought forth the charge of American "economic domination" and "imperialism".

That was one of the strange things about this Conference, for the history of the relations of the United States with these Danubian nations proved to the world the disinterested concern of the American people in their welfare. Most of the delegates here have talked a great deal about this sovereignty, as though the merchant ships of other nations in their river ports could bring them harm. That has a hollow sound when one considers the economic price a nation pays when trade and intercourse are throttled to the advantage of a single powerful neighbor. It has a hollow sound when one considers the instances of interference in the internal affairs of the states of this region in the past few years.

Freedom of navigation is an important objective of American foreign policy. We regret that it has not been possible for us to reach agreement here on a convention which would guarantee freedom on the Danube. In the absence of such guarantees we cannot accept the treaty which is now before the Conference.

When ships can again freely go up and down the river, the revival of trade should bring immediate benefits to the nations of both Eastern and Western Europe. It is, in fact, one of the conditions for Europe's recovery.

The American people have undertaken an unprecedented program of long-term aid to Europe. They have a real and abiding interest in what happens on the Danube. They will not lose that interest merely because this Conference has not found agreement on a way to restore the Danube to its great usefulness to the peoples of Europe.

Department of State Bulletin

THE UNITED NATIONS AND SPECIALIZED AGENCIES

Additional Military Observers Requested To Supervise Palestine Truce

[Released to the press August 21]

Count Folke Bernadotte, the United Nations mediator for Palestine, recently requested the United States, Belgium, and France to send additional enlisted military observers to Palestine for the purpose of supervising the Security Council truce in that country. Under this plan the present staff of 300 officers as observers (125 U. S., 125 France, and 50 Belgium) would be augmented by 125 enlisted men (125 U. S., 125 France, and 50 Belgium). In no event are these men to be assigned guard, protective, or enforcement duties.

As announced by the Secretary of State on August 18, the United States National Military Establishment is making arrangements to provide an additional 125 enlisted men from the Army, Navy, Air Force, and Marine Corps. It is expected they will begin to arrive shortly. The initial contingents will be made available from the Sixth Task Force.

A number of the officers and men already serving in Palestine as well as many of the additional personnel going to Palestine are communications and field motor-maintenance specialists. Communications specialists have been provided in order to facilitate Count Bernadotte's communications and transportation problems in supervising the truce in Palestine from such widely separated points as

Beirut, Damascus, Amman, Haifa, Jerusalem, Tel Aviv, Cairo, and Rhodes. The primary task of the observers is to supervise and report on the observance of the terms of the truce. The primary task of the enlisted personnel is the operation and maintenance of radio and transportation equipment used by the observers.

In addition, three destroyers, the occasional services of an auxiliary vessel, four Air Force C-47 planes, as well as motor vehicles and a large quantity of valuable radio-communications equipment have temporarily been loaned to Count Bernadotte as the United States assistance to him under the Security Council truce resolutions of May 29 and July 15. The employment of these vessels and aircraft is limited to transportation, observation, and reporting duties. Naval vessels are not authorized to stop or board shipping encountered.

On August 9 Trygve Lie, the Secretary-General of the United Nations, wrote the Secretary of State:

"May I also take this occasion to express my deep gratitude for the manner in which the United States Government has responded to the many requests which have been made in connection with the Palestine question, and my sincere appreciation of the cooperation of the United States Mission to the United Nations in these matters."

American Aid to Refugees in Near East

TELEGRAM FROM SECRETARY MARSHALL TO COUNT FOLKE BERNADOTTE, PALESTINE MEDIATOR

[Released to the press August 27]

August 26, 1948

I refer to my telegram of August 20¹ and the following American contributions to alleviate the refugee situation in the Near East. Prior to my appeal dated August 16,² the American Red Cross sent to the Near East for distribution medical supplies valued at \$250,000. Church World Service, relief organization for Federal Council of Churches of Christ in America, contributed 100 pounds of clothing and 175 pounds of medicines.

¹BULLETIN of Aug. 29, 1948, p. 267.
²BULLETIN of Aug. 29, 1948, p. 266.

September 5, 1948

In response to your request of August 16 for foodstuffs and DDT, Near East Foundation has informed us of donation of \$100,000 from Arabian American Oil Company and Trans-Arabian Pipeline Company, and an additional \$100,000 gift is being placed at the disposal of the Near East Foundation by International Bechtel Incorporated. Donors have specified that both sums be used in support of your relief activities. The American Red Cross has pledged \$14,000 to cover purchase of the total quantity of DDT requested by you. Negotiations are now taking place under which it is hoped a substantial quantity of wheat from farmers of Ohio and Kansas, donated through

(Continued on page 299)

The Fourth International Congresses on Tropical Medicine and Malaria

BY WILBUR A. SAWYER, M.D.

Secretary General

The Fourth International Congresses on Tropical Medicine and Malaria were held in Washington from May 10 to 18, 1948, under the sponsorship of the Department of State with the cooperation of many interested governmental agencies and national scientific societies. The purpose of the meeting was to bring together the world's experts and scientists in the field of tropical medicine and thus to make more widely available the latest knowledge regarding the prevention and cure of the diseases of the warmer climates.

This international meeting was urgently needed, since the normal interval of five years between the Congresses had been expanded to ten as one of the unfortunate results of World War II. During the war years an abundance of new knowledge and new materials had been developed and was awaiting wider application for the common benefit.

The Fourth International Congresses were in reality a joint meeting of two long-established organizations, the International Congress on Tropical Medicine and the International Congress on Malaria. All previous meetings had been held in Europe or Africa. The First International Congress on Tropical Medicine met at London August 7-12, 1913, and the second at Cairo, December 15-22, 1928. The third was held conjointly with the Third International Congress on Malaria, at Amsterdam, September 24-October 1, 1938, as the Third International Congress of Tropical Medicine and Malaria. The First International Congress on Malaria met at Rome October 4-6, 1925, and the second at Algiers, May 19-24, 1930. The meeting of the Congresses in Washington with the United States of America as host government was, therefore, the second such joint congress and the fourth meeting of each organization.

The governmental agencies which cooperated with the Department of State in the sponsorship of the Congresses were the Bureau of Medicine and Surgery of the Department of the Navy, the Department of Agriculture, the Institute of Inter-American Affairs, the Office of the Surgeon General of the United States Army, the United States Public Health Service, and the Veterans Administration. The American Academy of Tropical Medicine initiated the timely move to hold the

Congresses in the United States. The other cooperating scientific societies were American Association for the Advancement of Science, American Association for Economic Entomologists, American College of Physicians, American Dermatological Association, American Medical Association, American Public Health Association, American Society of Parasitologists, American Society of Tropical Medicine, American Veterinary Medical Association, Entomological Association of America, Medical Society of the District of Columbia, National Malaria Society, National Research Council, and Southern Medical Association. Representatives of each of the cooperating organizations and agencies made up the official American Delegation, with Dr. Leonard A. Scheele, Surgeon General, United States Public Health Service, as the chairman.

The importance of the meetings was widely appreciated. Forty-five governments and eight intergovernmental organizations sent 194 official delegates. Nongovernmental institutions sent 1,000 delegates, and there were 473 additional scientific and professional members. The total number registered, including associates, exhibitors, members of the secretariat, and others, was 1,256. The participants have now returned to their countries on all the continents to put into practice the new knowledge and improved methods gained.

The Governments which sent delegates in response to the invitation of the Department of State were Afghanistan; Argentina; Australia; Austria; Belgium; Bolivia; Brazil; Canada; Chile; China; Colombia; Cuba; Dominican Republic; Ecuador; Egypt; El Salvador; Finland; France; Greece; Guatemala; India; Iran; Iraq; Italy; Lebanon; Liberia; Mexico; the Netherlands; New Zealand; Pakistan; Panama; Paraguay; Peru; Republic of the Philippines; Portugal; Siam; Sweden; Switzerland; Syria; Turkey; Union of South Africa; United Kingdom; United States; Uruguay; and Venezuela. Over 60 governments had been invited. The intergovernmental organizations represented by delegates were the Caribbean Commission; the Food and Agriculture Organization of the United Nations; the International Labor Organization; the Pan American

Sanitary Bureau; the United Nations Educational, Scientific and Cultural Organization; the United Nations International Children's Emergency Fund; the United Nations; and the World Health Organization.

To produce the maximum results from this international gathering, the scientific contributions and discussions will be made available by the publication of the proceedings. By this means it is proposed to accelerate progress throughout the world in the prevention and treatment of tropical diseases.

The Opening Plenary Session

The opening meeting of the Congresses was held in the Departmental Auditorium on May 10. The address of welcome was given by Secretary Marshall, and the response in behalf of all the delegates and members was by Professor N. H. Swellengrebel, Delegate for the Netherlands. In speaking at the session the Secretary stated that—

The concentration of some of the best minds and most noble spirits of many lands on common objectives in these conferences is convincing evidence that our world is not a conglomeration of geographic entities but a vast neighborhood of peoples. We can fly around the world in less time than is required for the incubation of tropical diseases. In the modern world isolation in the medical sense is as impossible as political and economic isolation. There is no way we can escape the consequences of each other's mischief or misfortune. There is no acceptable alternative to learning to live together in harmony and well-being.

The professions you represent are in the forefront of the great humane endeavor. Statesmen and men of affairs usually and unfortunately must deal with urgent, immediate problems—the effects, and not the causes, of the forces that mar human relationships. Seldom are we able to get at the remedy for the mass misery that deepens discontent, misunderstanding, and violence. That our particular province in which you labor as benefactors of mankind.

The achievements and the aims of the cooperative effort represented by these meetings emphasize anew that man can far more to gain by uniting in a common fight against real enemies, such as disease, than by internecine feuds of his own kind."

ards

At the banquet of the Congresses on the evening of May 17 the recipients of the Laveran Prize and the Walter Reed Medal were announced. The Laveran Prize, which had been established after the Second International Congress on Malaria in 1900 in Algiers and which is awarded at each meeting for the most important work reported in malaria, was bestowed on Henry E. Shortt of the United Kingdom for his discovery of the location and characteristics of the malaria parasite in the liver of the monkey during the period before it invades the blood corpuscles. This and related studies bring to a successful end a long period of research by many investigators for this in monkey

September 5, 1948

OFFICERS

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Sir Malcolm Watson, United Kingdom
Dr. Richard P. Strong, United States

Honorary Vice Presidents

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Secretary General

Dr. Wilbur A. Sawyer, United States

and man and points the way to a clearer understanding of the nature of latent malaria and relapses.

The Walter Reed Medal, bestowed from time to time by the American Society of Tropical Medicine for outstanding scientific work in its field, was awarded to Prof. N. H. Swellengrebel of the Netherlands for his investigations in tropical medicine in many parts of the world.

Scientific Sessions

The real business of the Congresses was the sharing of new knowledge and experience through the presentation of scientific papers and their free discussion. The field to be covered was so broad that it was necessary to divide the scientific program into twelve sections, which covered the following subjects: I. Research and Teaching Institutes; II. Tropical Climatology and Physiology; III. Bacterial and Spirochetal Diseases; IV. Virus and Rickettsial Diseases; V. Malaria; VI. Helminthic Diseases; VII. Protozoan Diseases; VIII. Nutritional Diseases in the Tropics; IX. Tropical Dermatology and Mycology; X. Tropical Veterinary Medicine; XI. Public Health; and XII. Medical and Veterinary Entomology. The papers were given in any of three languages—English, French, or Spanish.

The scientific activities were not limited to the presentation of formal papers; the delegates and members visited several laboratories of scientific institutions and met investigators and also viewed demonstrations. A day was devoted to the Agri-

ACTIVITIES AND DEVELOPMENTS

cultural Research Center of the United States Department of Agriculture at Beltsville, Md. The work of the Bureau of Entomology and Plant Quarantine at this center was of special interest particularly the demonstrations of the distribution of insecticides from aircraft. Demonstration tours were made also to the research laboratories of the National Naval Medical Center and the National Institute of Health, at Bethesda, Md. The Army Medical Department Research and Graduate School and the Walter Reed General Hospital in Washington were visited also. The Army Medical Library and the Army Institute of Pathology were open throughout the week. The last day of the Congresses the Johns Hopkins University School of Hygiene and Public Health at Baltimore was visited.

Special Exercises

Special exercises in commemoration of two great historical events in tropical medicine were held on May 12 and 14 in the Departmental Auditorium. The first was in commemoration of the establishment by Walter Reed of the mosquito transmission of yellow fever in Cuba at the beginning of the century. The second was in celebration of the fiftieth anniversary of the discovery by Ronald Ross of the method of transmission of malaria. The Reed meeting was opened by Maj. Gen. Raymond W. Bliss, Surgeon General of the United States Army. Dr. Fred L. Soper, Director of the Pan American Sanitary Bureau, presided, and Dr. Philip S. Hench of the Mayo Clinic gave the principal address. James L. Hanberry, one of the few still surviving volunteer subjects who contracted yellow fever in the Reed experiments, was on the platform as a guest of honor.

The Ross meeting was opened by the chairman, Prof. George Macdonald, director of the Ross Institute of Tropical Hygiene, London. Dr. Paul F. Russell of the International Health Division of the Rockefeller Foundation introduced the principal speaker, Sir Malcolm Watson, emeritus director of the Ross Institute and a friend and contemporary of Ronald Ross.

Special Conferences

There was fortunate timing of the Congresses with relation to the opening meeting of the first World Health Assembly of the World Health Organization in Geneva on June 24, 1948. The gathering of so many experts in tropical medicine facilitated cooperation between the Congresses and the World Health Organization in collecting and preparing scientific information for the use of the first World Health Assembly. An informal meeting of malaria experts attending the Congresses was arranged by the Expert Committee on Malaria of the Interim Commission of the World Health Organization on May 15. On the day following the adjournment of the Congresses, the Expert Committee opened its second

session in the office of the Pan American Sanitary Bureau, and there was also a special conference of persons interested in schistosomiasis. A meeting of experts on plague on May 11 was for the purpose of collecting and organizing the best thought on the subject for consideration by the World Health Organization.

Scientific and commercial exhibits relating to tropical medicine were shown as well as well selected motion pictures.

The Final Plenary Session

The Congresses were brought to a close at the final plenary session on May 18 in a general atmosphere of satisfaction with what had been accomplished. Resolutions were adopted expressing the consensus on various subjects which had occupied the several sections. It was resolved that the International Congress of Tropical Medicine and the International Congress of Malaria should be permanently merged to form the International Congress on Tropical Medicine and Malaria. Interim Committee was appointed to make preparations for the Fifth International Congress on Tropical Medicine and Malaria and to consider the invitations received from China, Egypt, and the Republic of the Philippines, together with all other official invitations.

Another resolution expressed accord with the ideals, aims, and pursuits of the World Health Organization and offered full support in the accomplishment of its objectives. An optimistic position was taken with regard to plague. The resolution adopted and its preamble are as follows:

"WHEREAS: In the light of present knowledge of the effectiveness of the newer insecticides, insecticides, prophylactic and therapeutic measures, and other methods of control, it is believed possible to eliminate plague as a human menace; therefore the Fourth International Congresses on Tropical Medicine and Malaria

Resolved: That these Congresses do recommend to the World Health Organization that an expert committee on plague be established to study and plan action for the elimination of plague as a human menace."

An Interim Committee was elected with members widely distributed geographically. M. Vaucler of France was made chairman and Dr. L. Van Hoof of Belgium, secretary and treasurer.

In his closing address the president of the Congresses, Dr. Leonard A. Scheele, pointed out that no nation is self-sufficient in protecting itself from certain exotic tropical diseases. "Greater and greater quarantine vigil is required but even this is not enough. The best defense is attack, an attack at the source is the quickest and surest method, and in the long run it is often most economical to wipe out scourges at their origin rather than await their spread."

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

Calendar of Meetings¹

Journal During August

		1948
ited Nations:		
Trusteeship Council: Third Session	Lake Success	June 16-Aug. 5
Ecosoc (Economic and Social Council): Seventh Session	Geneva	July 19-Aug. 29
ference To Consider Free Navigation of the Danube	Belgrade	July 30 Aug. 19
eting of the United Kingdom and Dominions Official Medi- cal Histories Liaison Committee.	Oxford, England	Aug. 3-7
th International Congress of Entomology	Stockholm	Aug. 8-14
ernational Astronomical Union: General Assembly	Zürich	Aug. 10-17
ernational Congress on Mental Health	London	Aug. 11-21
urth Annual Congress on Limnology	Zürich	Aug. 15-21
ond Meeting on the General Agreement on Tariffs and Trade.	Geneva	Aug. 16-25
o (Food and Agriculture Organization): Third Session of Council.	Washington	Aug. 17-26
ernational Union of Geodesy and Geophysics: Eighth General Assembly.	Oslo	Aug. 17-28
th World's Poultry Congress	Copenhagen	Aug. 20-27
enteenth Conference of the International Red Cross	Stockholm	Aug. 20-30
esco (United Nations Educational, Scientific and Cultural Organization): Meeting of Radio Program Committee.	Paris	Aug. 23-29

Session as of September 1, 1948

		1946
Eastern Commission	Washington	Feb. 26-
ited Nations:		
ecurity Council	Lake Success	Mar. 25-
ilitary Staff Committee	Lake Success	Mar. 25-
		1947
ommission on Conventional Armaments	Lake Success	Mar. 24-
ecurity Council's Committee of Good Offices on the Indonesian Question.	Lake Success	Oct. 3-
eneral Assembly Special Committee on the Greek Question . .	Salonika and Geneva . . .	Nov. 21-
		1948
emporary Commission on Korea	Seoul	Jan. 12-
terim Committee of the General Assembly	Lake Success	Feb. 23-
ecurity Council's Kashmir Commission	Geneva and Kashmir . . .	June 15-
osoc (Economic and Social Council): Subcommission on Statistical Sampling.	Geneva	Aug. 30-
		1946
an External Property Negotiations with Portugal (Safe- haven).	Lisbon	Sept. 3-
-Allied Trade Board for Japan	Washington	Oct. 24-
		1947
eil of Foreign Ministers: Deputies for Italian Colonial Prob- lems.	London	Oct. 3-

Prepared in the Division of International Conferences, Department of State.

ember 5, 1948

Calendar of Meetings—Continued

		1948
ITU (International Telecommunication Union): Provisional Frequency Board.	Geneva	Jan. 15-
Eighteenth International Geological Congress	London	Aug. 25-
ITO (International Trade Organization): Meeting of Interim Committee.	Geneva	Aug. 25-
Scheduled for September 1948		1948
ITU (International Telecommunication Union): Meeting of Administrative Council.	Geneva	Sept. 1-
UNESCO (United Nations Educational, Scientific and Cultural Organization): Expert Conference for High Altitude Stations.	Interlaken, Switzerland . .	Sept. 1-4
XXXVII General Assembly of the Interparliamentary Union . . .	Rome	Sept. 6-14
Royal Netherlands Industries Fair	Utrecht	Sept. 7-16
Inter-American Conference on the Conservation of Renewable Natural Resources.	Denver	Sept. 7-20
IRO (International Refugee Organization): Seventh Part of First Session of Preparatory Commission.	Geneva	Sept. 10-
Fifth International Conference of Directors of Mine Safety Research Stations.	Pittsburgh	Sept. 20-24
ILO (International Labor Organization):		
Joint Maritime Commission	Geneva	Sept. 20-25
Technical Tripartite Conference on Safety in Factories	Geneva	Sept. 27-Oct. 16
United Nations:		
Third Session of General Assembly	Paris	Sept. 21-
Ecosoc (Economic and Social Council): ECE Committee on Electric Power.	Geneva	Sept. 22-
International Bank for Reconstruction and Development: Third Annual Meeting of the Board of Governors.	Washington	Sept. 27-
International Monetary Fund: Third Annual Meeting of the Board of Governors.	Washington	Sept. 27-
WHO (World Health Organization): Expert Committee on Tuberculosis.	Paris	Sept. 30-

U.S. DELEGATION TO ITO CONFERENCE

[Released to the press August 24]

The Department of State announced on August 24 the composition of the United States Delegation to the second session of the Executive Committee of the Interim Commission of the proposed International Trade Organization scheduled to convene at Geneva on August 25, 1948. The United States Delegation is as follows:

Chairman

Leroy D. Stinebower, Special Assistant to the Assistant Secretary of State for Economic Affairs

Vice Chairman

Carl D. Corse, Associate Chief, Division of Commercial Policy, Department of State

Advisers

Walter Hollis, Assistant to the Legal Adviser, Department of State

Lewis L. Lorwin, Economic Adviser, Office of International Trade, Department of Commerce

Wilfred Malenbaum, Acting Chief, Division of Investment and Economic Development, Department of State

The Interim Commission for the International Trade Organization was provided for by a resolution adopted at the United Nations Conference on Trade and Employment held at Habana, Cuba, from November 21, 1947-March 24, 1948. Fifty-two governments, all of which signed the final act of the Conference, are represented on the Interim Commission. The resolution also provided for the election of an 18-member Executive Committee of the Interim Commission. The first session of the Executive Committee was held at Habana immediately after its election.

The Executive Committee, at the forthcoming meeting, will deal with the preparation of recommendations and recommendations relating to organizational matters for submission to the Conference when the International Trade Organization is established. Neither the Interim Commission nor its Executive Committee is authorized to deal with substantive economic matters or to take action beyond the formulation of recommendations for consideration by the proposed International Trade Organization.

PROVISIONAL AGENDA FOR THIRD WEST INDIAN CONFERENCE

The provisional agenda for the Third West Indian Conference to be held in Guadeloupe, French West Indies, during the first weeks of December has now been prepared by the Caribbean Commission. Industrial development and economic productivity will form the keynote of the conference, which will be attended by delegates from the Caribbean territories within the Commission's terms of reference. Observers invited by the Commission from Canada, Haiti, Cuba, the Dominican Republic and the United Nations and its specialized agencies may also attend.

According to the rules of procedure of the West Indian Conference this provisional agenda is subject to revision in the light of comments from the Governments concerned, to whom it has now been sent, but it is not expected that there will be any substantial alterations, additions, and amendments. The agenda is also subject to approval by the conference and items within the terms of reference of the Commission may be added, or any of the precepts deleted from the agenda at the beginning of the session by a two-thirds vote of delegates present and voting, after a report has been received from the general committee on the technical, administrative, and financial implications of such proposed additions or deletions.

This provisional agenda is as follows:

Standing orders on conference procedure.

Report by the Secretary General on the work of the Commission since the previous session of the West Indian Conference, and on the action taken by the metropolitan and territorial governments on the recommendations of the previous session.

(a) Work of the Commission since the previous West Indian Conference.

(b) Report on research activities.

(c) Report on survey of population movement in the Caribbean area.

Industrial development and economic productivity.

(d) Trade statistics and information.

(e) Report on industrial-development survey.

(f) Report on transportation and communication.

ACTIVITIES AND DEVELOPMENTS

(d) Migration of labor, labor developments, organization, and legislation.

(e) Vocational and industrial training.

(f) Health in industry.

(g) Regional approach to research.

4. The regional development of tourism.

5. Progress report on the work of the United Nations in the drafting of a bill of human rights and obligations on those items of the declaration falling within the terms of reference of the Commission.

6. Recommendations for the agenda for the West Indian Conference (fourth session).

7. Other business.

Aid to Refugees—Continued from page 293

Christian Rural Overseas Program by American church groups, will be made available as contribution your request for wheat. With regard to procurement, we are exploring means of despatching some or all of the supplies requested by you from Greece to Beirut in interests expediting receipt in the Near East. Further details will be forthcoming soon.

In addition to specific items requested by you, the American Red Cross has authorized additional medical supplies valued at \$200,000; allocated quantities of milk valued at \$35,000; is providing two ambulances to Lebanese Red Cross; and has expressed readiness to make available certain key personnel to assist you in your task of distribution. American Middle East Relief Incorporated has sent funds and supplies to its distributing committee and other agencies in the Near East. Near East Foundation, which is engaged in sanitation work at refugee camps and villages, has expressed willingness to expand its personnel and services. War Relief Services of National Catholic Welfare Conference is donating \$25,000 for purchase of flour in Egypt and has indicated willingness to render further assistance. Lutheran World Relief Incorporated is making immediate shipment of five tons of clothing consigned Lutheran World Federation, Beirut.

We are hopeful that other American organizations will be able to send additional aid. Will inform you further as developments occur.

THE RECORD OF THE WEEK

Conversations on Air Transport Agreement With Mexico

JOINT STATEMENT BY THE U.S. AND MEXICAN GOVERNMENTS

[Released to the press August 26]

During the past few weeks, conversations have been carried on in Mexico City between the Government of Mexico and the Government of the United States of America, with a view to concluding a bilateral air-transport agreement between the two countries. George A. Brownell, personal representative of President Truman, has conducted the negotiations for the United States in cooperation with the American Embassy. Lie. García López, Minister of Communications and Public Works, and other members of the staff of the Ministry of Communications were designated by President Alemán to represent Mexico in the conversations. Because of different views with respect to certain air routes to be mutually operated by both countries on a permanent basis, the conversations did not result in complete and final agreement in spite of compromises made by both sides in an effort to meet each other's views. How-

ever, the conferees did succeed in reaching agreement on many aspects of the problem and have clearly defined the issues still to be resolved. These are now receiving careful consideration by President Alemán.

Both the Minister of Communications and Public Works and the American Embassy feel that the discussions have been fruitful and instructive. Mr. Brownell has expressed to Dr. García López his appreciation of the sympathetic and searching approach of the Minister and his colleagues and for the many courtesies extended to the United States Representatives.

The two Governments have jointly declared that the suspension of the current discussions in no way indicates a rupture of civil-aviation relations or air-transport services between the two countries or an abandonment of the desire of both Governments to complete an air-transport agreement.

Korea Expresses Gratitude Upon Restoration of Relations With U.S.

[Released to the press August 17]

*Syngman Rhee, President of the Republic of Korea
to President Truman*

On behalf of the Government of the Republic of Korea, I wish to express my gratitude for the statement issued by your Government on August 12, 1948, stating that the United States Government regards the Government of the Republic of Korea as the Government envisaged by the General Assembly resolutions of November 14, 1947, and that a special representative with the rank of Ambassador is being sent to Korea. I view this action as the restoration of the cordial relations between Korea and the United States of America which were forcibly interrupted by Japanese military power.

I hope and believe our happy relationship will continue to permanent benefit of both nations. I am personally most grateful to you, Mister President.

Prime Minister Y. Tom Sok and Foreign Minister Chang Taek Sang to Secretary Marshall

On behalf of the Government of the Republic of Korea we express our gratitude for the statement issued by you on August 12, 1948, stating that the United States Government regards the Government of the Republic of Korea as the Government envisaged by the General Assembly resolutions of November 14, 1947 and that a special representative with the rank of Ambassador is being sent to Korea.

A To Administer Aid Program in Korea

[Released to the press by the White House August 26]

The President announced on August 26 that he had instructed the Economic Cooperation Administrator to make preparations to take over responsibility for the United States economic-aid program in Korea within a few months.

Now that a Korean government has been established, it will be possible to transfer to a United States civilian agency the economic-assistance activities which have been carried on by the United States Army since Korea's liberation in 1945.

Discussions Asked on Territorial Problem in Antarctica

[Released to the press August 28]

The Department of State has approached the governments of Argentina, Australia, Chile, France, New Zealand, Norway, and the United Kingdom informally with a suggestion that a solution for the territorial problem of Antarctica be discussed. It is the viewpoint of the Department of State that the solution should be such as to promote scientific investigation and research in the area. The Department of State has suggested that a plan perhaps can be done most effectively and the problem of conflicting claims at the same time resolved through agreement upon some form of internationalization. The Department of State expects that the question is one which will require extended exchange of views, consideration of suggestions, and probably reconciliation of varying viewpoints. Until such exchange of views and necessary further study is completed, it is not believed that any useful purpose could be accomplished by a conference on the subject, and no such conference is contemplated at present.

Seizure of American Clerk in Jerusalem Investigated

[Released to the press August 24]

The Department of State has been informed by Mr. MacDonald, American Consul General in Jerusalem, that George Paro, chief code clerk of the American Consulate General in Jerusalem, was seized on Saturday night, August 21, by two persons, one of whom was unknown to Paro. Paro was taken out in the country, blindfolded, hand-

cuffed, slapped in the face and accused of being a British spy. After examining his passport, his captors claimed it was false and refused to communicate with the American Consulate General at Jerusalem. After being questioned all night he was taken to Hagannah headquarters at 8:00 a.m. on August 22 and was held and interrogated until 5:00 p.m., at which time he was released. Hagannah headquarters refused to permit Paro to communicate with the American Consulate General although Hagannah headquarters stated they had called but found telephones busy.

Mr. MacDonald, the American Consul General at Jerusalem, has protested to the Israeli Military Governor of the Israeli-occupied area of Jerusalem and has requested an investigation.

The Department of State is instructing Mr. MacDonald to bring the facts in Paro's case to the attention of Count Bernadotte, U.N. mediator, and the Security Council Truce Commission. The Department is also instructing James G. McDonald, Special Representative of the United States at Tel Aviv, to call these facts to the attention of the Provisional Government of Israel for an immediate investigation, for punishment of guilty persons, and for action to prevent recurrence.

Yugoslavia Recognizes Dollar Bonds

[Released to the press August 24]

The Department of State announced on August 24 that in an exchange of notes on July 19, 1948, between the Department and the Embassy of the Federal People's Republic of Yugoslavia at Washington, the Embassy confirmed the Department's interpretation of a previous communication from the Embassy that the Government of the Federal People's Republic of Yugoslavia recognizes among its other international obligations the dollar bonds issued or guaranteed by predecessor Yugoslav Governments and "will consider means of discharging such obligations when Yugoslavia's economic condition, seriously injured by the ravages of war, and her foreign exchange position permit".

Letters of Credence*Turkish Republic*

The newly appointed Ambassador of the Turkish Republic, Feridun Cemal Erkin, presented his credentials to the President on August 20, 1948. For the text of the translation of the Ambassador's remarks and for the President's reply, see Department of State press release 675 of August 20, 1948.

Czechoslovakia Extended Time for Renewing Trade-Mark Registrations

The extension until December 31, 1948, of time for renewing trade-mark registrations with respect to Czechoslovakia was granted by the President in proclamation 2805 (13 *Fed. Reg.* 4391) on August 21, 1948.

Fulbright Grants Awarded Students and Scholars

United States

Awards of scholarships to 11 American graduate students including 8 veterans of World War II, as well as grants-in-aid to 15 American educators and research scholars, were made on August 18 by the Department of State on the basis of selections by the Board of Foreign Scholarships under the Fulbright act.

All of the graduate scholarships are for study in China. Ten of the grants-in-aid are for visiting professorships and research fellowships in China, three are for visiting professorships in Burma, and two for agricultural teaching positions in secondary schools in Burma. For a list of those students and scholars given awards, see Department of State press release 666 of August 18, 1948.

Most of the persons receiving awards for study, teaching, and research in China plan to arrive at their destinations in time for the academic year in the fall of 1948. Those going to Burma plan to leave as soon as travel arrangements can be made.

The awards announced on August 18 are among the first to be made under terms of the Fulbright act, two scholars previously having been chosen—one to teach in Burma and one to do research in China.

The awards are for China and Burma because of the fact that these two countries are the only ones in which the program is in actual operation. Awards involving other countries, the Philippines and Greece, which have signed agreements with the United States for such programs, will be made in these countries as soon as budgets are approved, announcements made, and candidates for scholarships have been selected.

The Fulbright program now being put under way is expected ultimately to embrace more than 20 countries and will involve the expenditure of more than \$150,000,000 during the next 20 years. Agreements are now under consideration with 10 of these countries in addition to the four agreements already concluded.

The scholarships are paid for by foreign governments out of the proceeds from the sale of United States overseas surplus matériel and provide the

means by which foreign countries may pay in for these surpluses in their own currencies.

Philippines and Burma

On August 27 the Department of State announced that two women, one a Filipino princess and the other a Burmese, who served their country in the underground during the war, are among four foreign students to receive the first travel grant awards from the Department of State under the Fulbright act.

Bai Matabay Plang, a Moro princess from an island of Mindanao in the Philippines, will study at the University of Chicago School of Social Work on a fellowship from the American Association of University Women, and will have travel to and from the United States paid out of funds under the Fulbright act.

The Burmese is Ma Aye, a graduate of the University of Rangoon, Burma, who spent the years in the jungles behind Japanese lines organizing the community life of the evacuees in villages. Mrs. Aye will study in the New York School of Social Work on a scholarship offered by that school, for which she was proposed by the Institute of International Education of New York. Her travel to and from the United States is being paid out of Fulbright-program funds.

The other two persons receiving travel grants are Mrs. Brigida C. Millan of Rizal City, Philippines, and Mrs. Jenny Lind N. Dolorico of Tuguegarao, Leyte, the Philippines. Both Mrs. Millan and Mrs. Dolorico will study in the United States on fellowships from the American Association of University Women, with their travel to and from the United States paid out of funds under the Fulbright act.

Such travel grants to foreign nationals will normally be used to supplement the scholarship programs of American organizations and institutions. Thus, for example, the three travel grants awarded for Filipino students have enabled the American Association of University Women to bring three women students, instead of two, to the Philippines for study in the United States during the 1948-49 academic year.

Coordination of such fellowship programs under the Fulbright act program is effected by the Institute of International Education.

Bolivian Rector Awarded Grant-in-Aid

Dr. Guillermo Francovich, rector of the University of Sucre, Bolivia, has arrived in Washington for a three months' visit to this country to observe university organization and to visit educational centers. His trip has been arranged as a part of the State Department's grant-in-aid program.

Transferring to the Attorney General Jurisdiction Over Blocked Assets¹

WHEREAS with the successful termination of hostilities, there has been a gradual release from control by the Treasury Department over foreign property and interests which had been blocked to prevent their looting by the Axis and their use was harmful to the war effort of the United States; and

WHEREAS certain of such foreign property and interests have not yet been unblocked; and

WHEREAS it is now necessary and desirable to exercise the jurisdiction over the assets remaining unblocked on September 30, 1948, in the same agency which is administering the program of alien property control initiated under Executive Order No. 8389 of March 11, 1942, as amended, which program is presently being administered by the Attorney General:

Now, therefore, by virtue of the authority vested in me by the Constitution and the laws of the United States, including the Trading With the Enemy Act of October 6, 1917, as amended, and as President of the United States, it is hereby ordered as follows:

The Attorney General is hereby authorized and directed to take such action as he may deem necessary with respect to any property or interest of any nature whatsoever in which any foreign country designated in Executive Order No. 8389 of April 10, 1940, as amended, or any national of such country has any interest (including property subject to the proviso of paragraph (a) of General Ruling No. 94, as amended (31 C. F. R., 1947 Supp., 131.94), and including any Scheduled Securities within the meaning of General Ruling No. 94, as amended (31 C. F. R., 1947 Supp., 131, App. A), both issued by the Secretary of the Treasury) which on September 30, 1948, is not unblocked or has not been removed from the restrictions of the said Executive Order No. 8389, as amended, by any order, regulation, ruling, instruction, license, or other action issued or taken by the Secretary of the Treasury. In the performance of his duties under this order, the Attorney General or any officer, person, agency, or instrumentality designated by him, may exercise all powers and authority vested in the President by sections 3 (a) and 5 (b) of the Trading With the Enemy Act, as amended. As used in this order, the terms "national" and "foreign country" have the meanings prescribed in Executive Order No. 8389, as amended.

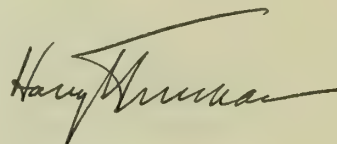
With respect to the property and interests remaining unblocked in section 1 hereof, all orders, regulations, rulings, instructions, or licenses issued by the Secretary of the Treasury under the authority of Executive Order No. 8389, as amended, and Executive Order No. 9095, as amended, and in force on September 30, 1948, shall continue in full force

September 5, 1948

and effect except as amended, modified, or revoked by the Attorney General.

3. It is the policy of this order that administrative action under paragraph 1 hereof shall be taken by the Attorney General or any officer, person, agency, or instrumentality designated by him. However, nothing in this order shall be deemed to limit or remove any powers heretofore conferred upon the Secretary of the Treasury or the Attorney General by statute or by Executive order. No person affected by any order, regulation, ruling, instruction, license, or other action issued or taken by either the Secretary of the Treasury or the Attorney General may challenge the validity thereof or otherwise excuse his actions, or failure to act, on the ground that pursuant to the provisions of this Executive order, such order, regulation, ruling, instruction, license, or other action was within the jurisdiction of the Attorney General rather than the Secretary of the Treasury or *vice versa*.

4. This order shall become effective as of midnight, September 30, 1948.



THE WHITE HOUSE,
August 20, 1948.

THE FOREIGN SERVICE

Edward R. Dudley Appointed Minister to Liberia

[Released to the press August 27]

Edward R. Dudley was sworn in on August 27 as Envoy Extraordinary and Minister Plenipotentiary of the United States to the Republic of Liberia. The ceremony took place in the office of Stanley Woodward, Chief, Division of Protocol in the Department of State, and was attended by high-ranking government officials as well as many personal friends of Mr. Dudley.

Consular Offices

The Consulate at Venice, Italy, was opened to the public, effective August 16, 1948.

¹ Executive Order 9989 (13 Fed. Reg. 4891).

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The Department of State

Bulletin

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EIGHTIETH CONGRESS, SECOND SESSION, AND THE UNITED NATIONS

by Sheldon Z. Kaplan

I. INTRODUCTION

the author's articles on the "Eightieth Congress, First Session, and the United Nations,"¹ it pointed out that the Eightieth Congress, in its First Session, had made an impressive record, despite a heavy work load, in enacting, or taking initiatory steps to enact, municipal legislation and to implement the wide responsibilities that flow from United States participation in the United Nations and related activities. Those responsibilities as host which devolve upon our country by virtue of our Government's invitation, extended through the Congress, to the United Nations to locate its permanent headquarters here were also described,² and some of the legislative measures enacted into law to give concrete proof of the recognition of those responsibilities were outlined in some detail.

The Second Session of the Eightieth Congress was indeed, no less active in the shaping of United States foreign policy, nor were the details, implications, and ramifications attending the legislative necessary to make effective the work of the United States in the broad field of international organization less important. During the Second Session action was completed authorizing United States acceptance of the constitution of the International Labor Organization instrument of ratification and United States participation in the World Health Organization, the Caribbean Commission, the South Pacific Commission, and the Pan American Railway Congress, and the President advised and consented to the ratification of the international telecommunication convention and the International Labor Organization articles revision convention, 1946 (no. 80). Significant and timely was the enactment of legislation authorizing the loan of 65 million dollars to the United Nations to enable it to finance the construction of its permanent home in New York. Significant, too, was the passage by the Congress of the so-called Vandenberg resolution, re-

affirming the policy of the United States to achieve international peace and security through the United Nations and indicating certain objectives to be pursued.

For convenience, those of the above measures which best illustrate the impact of the legislative process upon the full participation by the United States in the United Nations and related activities will be considered under the following headings: "Action Initiated During First Session and Completed During Second Session"; and "Action Initiated and Completed During Second Session".

In addition, reference will be made to the Vandenberg resolution and to United Nations measures considered by the Eightieth Congress which did not receive final action during the Second Session, the latter under the heading of "Uncompleted Measures".

II. ACTION INITIATED DURING FIRST SESSION AND COMPLETED DURING SECOND SESSION⁴

South Pacific Commission

The events leading up to the formation of this intergovernmental regional agency have been described elsewhere briefly by the author.⁵ At the end of the First Session of the Eightieth Congress, H. J. Res. 232, "Providing for membership and participation by the United States in the South Pacific Commission and authorizing an appropriation therefor", had passed the House on July 21, 1947, and the Senate on July 26, 1947, but because of technical amendments adopted by the latter, the joint resolution was sent back to the House for its concurrence. On January 19, 1948, less than two weeks after the Second Session was convened, the House agreed to these amendments, and on January 28, 1948, with the signature of the President, the measure became Public Law 403. It authorizes: (1) the President to accept membership for the United States in the Commission and to appoint the United States commissioners and their alternates (sec. 1), (2) an

appropriation to the Department of State not to exceed 20 thousand dollars annually as the United States proportionate share of expenses of the Commission⁶ and such additional sums as may be needed to cover necessary expenses incident to United States participation (sec. 3), and (3) the Secretary of State to detail specially skilled personnel from Government agencies to the Commission (sec. 4). The President on that day also signed the instrument of acceptance of the agreement establishing the South Pacific Commission, which was dispatched January 30, 1948, by the Department of State to the officer in charge of the American Mission at Canberra, Australia, for deposit with the Government of Australia.⁷ On April 28, 1948, the Secretary of State announced that the President had appointed the following as the United States commissioners and alternate commissioners on the Commission: Felix Keesing, senior commissioner, Milton Shalleck, commissioner, and Karl C. Leebrick and Orsen N. Nielsen, alternate commissioners—the last-named for the first session only.

The South Pacific Commission, a pioneer venture in regional cooperation among governments responsible for the administration of dependent areas, began the deliberations of its first session on May 11, 1948, and met daily through May 21 at its interim headquarters at Middle Head, Sydney, Australia. As may be expected of a newly created intergovernmental organization, the conference produced few, if any, substantive achievements. The 11 days of conference, however, did establish an effective administrative and organizational foundation for its ultimate substantive activity through the adoption of a broad work program.⁸ In addition, a working committee was set up to function between sessions of the Commission, charged with the responsibility of making recommendations with regard to a permanent site for the Commission (at Nouméa or Suva) and of selecting at a very early date a secretary general, a deputy secretary general, a deputy chairman of the research council, and full-time research workers, the final selection being left for the decision of the senior commissioner of each government. The Commission's next session will be held at Sydney on October 25, 1948.

Thus, the first of the two intergovernmental regional agencies designed to promote the economic and social welfare and advancement of

non-self-governing territories with which the Eightieth Congress had to deal has made a start toward the important work which lies immediately ahead.⁹

Caribbean Commission

The Caribbean Commission is the second of two intergovernmental regional agencies established to promote the cooperation envisaged in article 73 of the United Nations Charter which the Eightieth Congress was faced. At the close of the First Session, H. J. Res. 231, a resolution "Providing for membership and participation by the United States in the Caribbean Commission and authorizing an appropriation therefor", had passed the House of Representatives on July 21, 1947, and had been reported out of the Senate Committee on Foreign Relations the following day, with technical amendments signed to clarify the amount of money to be authorized for contribution to the Commission's budget (as distinct from expenses incident to United States participation therein).¹⁰ The necessary legislative authorization to make effective United States participation in this organization was completed during the Second Session with the passage of the joint resolution, as amended, by the Senate on February 2, 1948,¹¹ and the concurrence of the House in the amended measure on February 2, 1948. It was approved by the President, March 4, 1948, and became Public Law 431. The provisions of Public Law 431 are similar to those of Public Law 403 (South Pacific Commission), except that the former authorizes not more than 142 thousand dollars annually for the payment by the United States of its proportionate share of expenses¹² and does not authorize the detail of Government personnel.¹³

The accomplishments of the Caribbean Commission since March 4, 1948, the date of the enactment of H. J. Res. 231 into Public Law 431, may be summarized as follows:

1. The major undertaking of the Commission has been the completion of a comprehensive study of existing and potential industries in the territories of the Caribbean area. A panel of experts—one from each national section—collected basic, factual data on industries including such items as production records; kind and source of raw materials; financial procedures; availability of fuel, power, labor, transport, and markets.

The reports of these experts will be coordinated into one over-all report and will serve as documentation for the Third Session of the West Indian Conference to be held in Guadeloupe in December. The outline developed by the United States expert was adopted as the standard form by France, the Netherlands, and the United Kingdom in gathering this information. Dr. Rafael Picó, chairman of the Planning, Urbanizing, and Zoning Board of Puerto Rico, and a United States commissioner compiled the information on the United States territories. Experts from the Departments of Commerce, Labor, and State and the United States Staff Commission assisted him.

The Commission also completed a survey of transportation and communication facilities in the Caribbean area. It will be used also as part of the documentation of the Third Session of the West Indian Conference.

Efforts were continued to organize a Caribbean tourist-development association whose purpose would be to develop the tourist trade on a regional basis.

A weekly radio program in the four languages of the area was initiated and carried on by the Commission. The program furnishes current news of social and economic happenings in the area and is designed to make the peoples aware of the similarity of their problems and the solutions to be found by coordinated effort. This type of program is important in an area where illiteracy is high and people widely separated.

The Commission continued to publish a *Monthly Information Bulletin* in the four languages of the area. It is a systematic and continuing means of publishing information on scientific, educational, and economic developments in or relating to the Caribbean and is widely distributed to local governments, libraries, and individuals.

One regular business meeting of the Commission was held in San Juan, Puerto Rico, May 4-9, 1948,¹⁴ and the working committee met at frequent intervals.

The Commission at this meeting approved plans for a study of the movement of population in the Caribbean region including population growth, pressure, and migratory movements. The emphasis of the meeting was on the Commission's primary task as an advisory body in promoting scientific, technological, and economic develop-

ment in the Caribbean area. Regional action in achieving such development depends upon a thorough knowledge of what research and research facilities exist in the individual territories. With this in view, the Commission authorized the Central Secretariat, which is located at Port-of-Spain, Trinidad, British West Indies, to make a research survey covering all existing research institutions, projects, and personnel in the area. The results of this survey will form the nucleus of a permanent and active research information service in the Secretariat. The staff will concentrate on a limited number of particular fields of activity which have every-day application in the lives of the peoples of the Caribbean—such as soil erosion, plant and animal quarantine, nutrition, and health education. In addition, the Commission authorized the establishment of a statistical unit in the Secretariat to collect, collate, analyze, and distribute data on such matters as trade, population trends, and other topics of general utility to governments and businessmen.

7. The Commission has been making all necessary preparation for the Third Session of the West Indian Conference. This preliminary work includes such matters as extending invitations, accrediting delegates, working out the agenda for a technical meeting, compiling basic background surveys, and making physical arrangements for transportation and accommodation. The central theme will be industrial development and related matters. The Commission expects to arrive at a four-nation policy statement on industrial development and economic productivity for the Caribbean region as a result of recommendations produced at this Conference.

8. Technical bulletins, dealing with the external trade of the Caribbean, were published on the following subjects: fish, vegetables, grain crops, meat products, dairy products, cement, tobacco, bananas, edible oils and fats, soap, matches, and candles. These are part of a series analyzing requirements and movements of basic products of trade in the Caribbean area.

Thus, through the legislative process, it is possible for the Government of the United States to cooperate and participate fully in a vital intergovernmental work which should be “. . . an excellent augury for the establishment of regional commissions in other disturbed areas of the world, occupied largely by non-self governing peoples.”¹⁵

World Health Organization (WHO)¹⁶

1. The Senate's Withdrawal Provision

At the time of its adjournment *sine die*, December 19, 1947, the First Session of the Eightieth Congress had witnessed the passage on July 7, 1947, of S. J. Res. 98, a joint resolution "Providing for membership and participation by the United States in the World Health Organization and authorizing an appropriation therefor", with one important amendment, which provided as follows:

SECTION 4. In adopting this joint resolution the Congress does so with the understanding that the United States reserves its right to withdraw from the Organization on a 90-day notice: *Provided, however*, That the financial obligations of the United States to the Organization shall be met in full for the Organization's current fiscal year.¹⁷

The reason for the amendment was contained in the report of the Senate Foreign Relations Committee on S. J. Res. 98¹⁸ and in the Chairman's statement in presenting the report to the Senate:¹⁹ the Committee foresaw a possibility of the constitution of WHO being amended in such a manner as to impose additional obligations on the United States without its consent.

2. The House Foreign Affairs Committee Withdrawal Provision and Other Proposed Amendments

The House Committee on Foreign Affairs reported out H. J. Res. 161, the companion measure to S. J. Res. 98, 10 days after the action in the Senate. Like its Senate counterpart, this Committee recommended an amendment in the form of a new section, providing for United States withdrawal from WHO on a one-year notice rather than the 90 days contained in the Senate version. In addition, it recommended several other amendments, of which the following are the more important for the purposes of this account: (a) a provision requiring an investigation by the Federal Bureau of Investigation of any person serving as a representative or delegate to the Assembly of WHO and (b) a provision requiring that "no citizen or resident in the United States" could participate in the activities of WHO without the consent of the Secretary of State.

Thus, when the Second Session convened on January 6, 1948, action had been completed by the Senate authorizing United States membership and

participation in and contribution to WHO, the withdrawal provision noted, and the House Foreign Affairs Committee had reported out its companion bill, also with a withdrawal provision plus other amendments which would vitally affect United States representation to the Organization which was established to make possible the attainment by all peoples of the highest possible level of health".

3. Department of State's Comments on the Proposed Amendments

On January 8, 1948, letters signed by the United States Secretary of State were dispatched to Senator Vandenberg, chairman of the Senate Foreign Relations Committee and President *pro tempore* of the Senate, to Representative Eaton, chairman of the House Foreign Affairs Committee, and to Representative Judd, who had sponsored H. J. Res. 161. Enclosed with these letters were comments by the Department of State, in memorandum form, drawing attention, among other things, to the fact that the withdrawal provision had been questioned by other governments and to the language of the declaration unanimously agreed to July 17, 1946, by the International Health Conference, which had formulated WHO's constitution. This declaration, a part of the official record of the Conference, stated that:

A member is not bound to remain in the Organization if its rights and obligations as such are changed by amendment to the Constitution in which it has not concurred and which it finds itself unable to accept.²⁰

The Department's comment on the proposed amendment providing "That no citizen of or resident in the United States shall participate in session, conference or meeting, or other work of the World Health Organization or of any subordinate committee or organization thereof without the consent of the Secretary of State", was that the inclusion of such an amendment in an instrument of acceptance of the United States to the constitution of WHO would appear to have the effect of placing the Director General of WHO under an obligation not to employ any United States citizens or foreign nationals resident in the United States without the consent of the Secretary of State. This provision would run counter to the basic principle on which the United Nations and its specialized agencies are founded, namely, that their staffs should consist of persons who perform

duties as faithful international civil servants who do not act as representatives of the governments of which they happen to be nationals. This principle is clearly stated in articles 35 and 36 of the WHO constitution, which read as follows:

Article 35. The Director-General shall appoint the staff of the Secretariat in accordance with staff regulations established by the Health Assembly. The paramount consideration in the employment of the staff shall be to ensure that the efficiency, integrity and internationally representative character of the Secretariat shall be maintained at the highest level. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.

Article 37. In the performance of their duties the Director-General and the staff shall not seek or receive instructions from any government or from any authority external to the Organization. They shall refrain from any action which might reflect on their position as international officers. Each Member of the Organization undertakes to respect the exclusively international character of the Director-General and the staff and not to influence them.²¹

Steps Toward Final Congressional Action

IMPORTANCE OF TIMELY CONGRESSIONAL ACTION

The Department of State was most anxious that timely congressional action be taken without delay. Delays which could conceivably prevent the completion of the United States instrument of ratification and that such action be taken in time for participation of this Government in the First World Health Assembly, which was scheduled to convene in Geneva on June 24, 1948. Absence of the United States from this meeting, which was marked "the beginning of full-scale activity of WHO and the termination of the interim phase of development of the international health program planned by plenipotentiaries of 62 governments at the International Health Conference in New York City during the summer of 1946",²² would mean forfeiting the opportunity of the United States to influence the program and organizational structure of WHO, including selection of the Director General, site of headquarters, and members of the Executive Board, as well as determination of budget and scale of contributions. Moreover, participation by the United States in WHO had, in fact, been supported by representatives of numerous public and professional associations in the medical and public-health fields.²³

TABLING OF H. J. RES. 161 AND INTRODUCTION OF ITS NEW VERSION, H. J. RES. 409

On March 12, 1948, the House Committee on Rules met to consider a resolution proposed by the House Foreign Affairs Committee which provided for consideration of H. J. Res. 161 by the House of Representatives. This resolution, however, was not tabled. On April 7, 1948, WHO came into official existence, as a specialized agency, when the last of the required 26 United Nations members deposited with the Secretary-General of the United Nations its instrument of acceptance of the WHO constitution.²⁴ On May 19, 1948, Representative Judd, to avoid delay, introduced in the House H. J. Res. 409, a rewritten version of the previously reported H. J. Res. 161. The new measure was referred to the House Committee on Foreign Affairs, which acted with dispatch, for the following day the measure was unanimously reported out. As thus reported, H. J. Res. 409 contained new features,²⁵ such as a requirement that the United States Representative on the Executive Board of WHO, when there is one, be appointed by the President by and with the advice and consent of the Senate and that he have "ten years active practice as a physician or surgeon";²⁶ an authorization of funds on a per annum basis instead of for the fiscal year beginning July 1, 1947, almost past, and a provision stating that nothing in the WHO constitution involves any commitment to specific legislative action by the United States Congress.²⁷

The constitution of WHO actually specifies that the delegates to the Health Assembly "should be chosen from among persons most qualified by their technical competence in the field of health, preferably representing the national health administration of the Member";²⁸ in recognition of the fact that WHO will be primarily concerned with problems of public-health technique and administration. Accordingly, if the United States is to have effective representation on the Executive Board, one of whose functions is "to act as the executive organ of the Health Assembly",²⁹ the United States Representative should be a qualified public-health expert. Therefore, the new feature with regard to 10 years active practice introduced by the House Committee might, conceivably, exclude a high proportion of doctors of medicine, with less than 10 years active practice, who have attained distinction

in public health, preventive medicine, and medical research, all of which are fields of primary interest to WHO.³⁰

Action moved swiftly at this stage. On May 20, 1948, the House Committee reported H. Res. 602³¹ to provide for, and make in order, the expeditious consideration by the House of H. J. Res. 409, the rewritten version of H. J. Res. 161 which this Committee had tabled. On May 28, 1948, the Rules Committee's resolution, confining the debate on the new measure to one hour, was agreed to by the House, which acted quickly thereafter in passing H. J. Res. 409.³² To save precious time, however, Representative Judd then asked unanimous consent for the immediate consideration of a similar Senate joint resolution, S. J. Res. 98.³³ Since there was no objection, the Clerk read S. J. Res. 98, whereupon Representative Judd offered an amendment, in effect incorporating the new features of H. J. Res. 409 into the Senate joint resolution. S. J. Res. 98 then passed the House, as amended, and by unanimous consent the proceedings by which H. J. Res. 409 was passed were vacated and this House measure laid on the table. The amendment of S. J. Res. 98 by the House meant, of course, reference of the measure to a committee of conference, representing both houses of Congress, following the disagreement of the Senate to the amendment. The conference committee met and submitted its report³⁴ on June 4, 1948. Four days later, both houses of Congress agreed to the report,³⁵ thus completing final legislative action.

5. Public Law 643

On June 14, 1948, President Truman signed S. J. Res. 98, which became Public Law 643. That same day the President issued the following statement:

I have today signed a Joint Resolution providing for the U.S. membership and participation in the World Health Organization. I have at the same time signed the Instrument of Acceptance of the Constitution of the World Health Organization, which will immediately be sent to the United Nations for deposit.

In view of the long history of effective international cooperation in the field of health which spares us the haunting fear of devastating epidemics of cholera and plague, we can look to the World Health Organization with hope and expectation. While performing its humane service, it will at the same time contribute to general economic improvement through the progressive development of healthy, alert, productive manpower. The

world economy is seriously burdened, and unnecessary, by malaria, tuberculosis and other contagious diseases.

The World Health Organization can help contribute substantially to the attainment of the healthy, vigorous citizenry which the world needs so badly today and tomorrow.

I am proud to have signed this Joint Resolution which makes it possible for the United States to continue its leadership in this important work. In the technical field of health we hold today a pre-eminent position. We will give freely of our great knowledge to help create men everywhere free from the overhanging dread of preventable disease. In doing so through the World Health Organization we once again testify to our faith in the United Nations as the great instrument for reaching the goals of common understanding and mutual helpfulness among nations which alone can lead to peace and security for all peoples.³⁶

The chief features of Public Law 643 are:

1. Authorization for the President to accept membership for the United States in the WHO (sec. 1);
2. Mandate to the President to designate delegates and alternates to sessions of the Organization's World Health Assembly and the United States Representative to the Executive Board of WHO (whenever the United States becomes entitled to designate a person to serve on the Board) (sec. 2);
3. Such Representative is to be designated by the President and with the advice and consent of the Senate must be a graduate of a recognized medical school and have spent not less than three years in active practice as a physician or surgeon (sec. 2);
4. A proviso for investigation as to loyalty and security by the Federal Bureau of Investigation of the delegates, alternates, and Representative (sec. 2);
5. Authorization of an annual appropriation of not to exceed 1,920,000 dollars per annum for payment of the United States share of WHO's expenses (sec. 3(a)) and a limitation of 83 thousand dollars for the fiscal year beginning July 1, 1947, to cover expenses incident to participation.³⁷
6. A proviso reserving the right of the United States, in the absence of any provision in the WHO constitution for withdrawal, to withdraw from WHO on a one-year notice (sec. 4); and
7. A statement that it is the understanding of Congress that nothing in the WHO constitution commits the United States to enact any special legislative program (sec. 5).

Action of First World Health Assembly

view of the provision in section 4 that the United States reserves its right to withdraw from the Secretariat of the United Nations invited Dr. Brock Chisholm, Executive Secretary of the Interim Commission of WHO, that the Secretary-General of the United Nations was not in a position to determine whether the United States would become a party to the WHO constitution and therefore the Secretary-General would refer the United States acceptance to the First World Health Assembly and would be guided by the Assembly's action with respect to the matter.³⁸ The only question raised by the withdrawal provision was disposed of by the Assembly when on July 2, 1948, it unanimously accepted the United States as a member of WHO, thus paving the way for full participation by the United States in a wide field of human improvement.⁴⁰

On July 13, 1948, Dr. Yuen-Li Liang, the director of the Legal Department of the United Nations, acting on behalf of the Secretary-General of the United Nations, notified the Secretary of State of the admission of the United States to WHO in the following words:

I have the honour to inform you that I have been informed by the Executive Secretary of the Interim Commission of the World Health Organization that on 2 July 1948 the World Health Assembly unanimously approved the admission of the United States of America as a Member of the World Health Organization.

In accordance with Article 82 of the Constitution, the Secretary-General will notify all States parties to the Constitution of the World Health Organization that the United States of America is considered to be a party to the Constitution as from 21 June 1948, the date of its ratification with the Secretary-General of the United Nations of the instrument of acceptance.⁴¹

Constitution of the International Labor Organization (ILO) Instrument of Amendment, 1946

1. Necessity for Revision

The ILO was established in 1919, pursuant to the provisions of the peace treaties negotiated at the end of World War I, in the belief that universal and lasting peace can be established only if it is based on social justice, that conditions of labor which involve injustice, hardship, and privation produce unrest so great as to imperil the peace and harmony of the world, and that the

failure of any nation to adopt humane conditions of labor is an obstacle in the way of other nations which desire to improve conditions in their own countries. The United States became a member of the Organization on August 20, 1934, when the President, exercising the authority conferred on him in Public Resolution 43, 73d Congress, 2d session, approved June 19, 1934, accepted an invitation to membership tendered by the International Labor Conference.⁴² Since then, the United States has played an important part in ILO activities and has made substantial contributions to its budget.

Although the end of World War I witnessed the creation of the Organization, necessity for the remodeling of the ILO constitution to bring it in line with social conditions in the postwar world and with the new structure of international organization was apparent long before the end of World War II. Consideration was given the problem at the Twenty-sixth Session of the International Labor Conference in Philadelphia in 1944, which adopted a declaration defining the aims and purposes of the ILO. Constitutional revision was again discussed in Paris in 1945 and in 1946 was studied by a tripartite Conference delegation which had been instructed to prepare a report on all aspects of the question. Following the recommendations of the Conference delegation, the instrument of amendment, comprising a comprehensive revision of the ILO constitution, was adopted by a unanimous vote of the Twenty-ninth Session of the International Labor Conference at Montreal on October 9, 1946.⁴³

The significant constitutional changes⁴⁴ may be grouped as follows:

(a) Those determining the relations between the ILO and the United Nations and the various other international organizations

(b) Those clarifying the obligations of states members as to conventions and recommendations adopted by the Conference

(c) Regional arrangements

(d) Colonial arrangements

(e) Those strengthening the role of the Governing Body

(f) Those relating to Conference procedure, and

(g) Those clarifying the special position of federal states.⁴⁵

2. Department of State's Proposal to Congress

On May 8, 1947, during the First Session of the Eightieth Congress, Secretary of State Marshall addressed letters to the President *pro tempore* of the Senate (Senator Vandenberg) and to the Speaker of the House of Representatives (Representative Martin) which were of major importance to the growing participation of the United States in international organization. Together with these letters, there were enclosed a draft joint resolution authorizing the President to accept on behalf of the United States the revised constitution of the ILO which had been adopted at Montreal, a memorandum explaining the purposes of the proposed legislation and the necessity therefor, and copies of letters on the subject from the delegates who represented the employers and workers of the United States respectively at the Twenty-ninth Session of the International Labor Conference.⁴⁶

3. Action by Senate and House Committees

The Senate Foreign Relations Committee acted with dispatch on this legislative proposal, for only 10 days later it reported out to the Senate *without amendment* S. J. Res. 117, "Providing for acceptance by the United States of America of the Constitution of the International Labor Organization Instrument of Amendment, and further authorizing an appropriation for payment of the United States share of the expenses of membership and for expenses of participation by the United States", substantially as drafted by the Department of State.⁴⁷ On June 2, 1947, S. J. Res. 117 passed the Senate, with no debate necessary.⁴⁸

The following day the measure was referred to the House Foreign Affairs Committee and on July 24, 1947, was reported out, with amendments. Both Committees recognized that the Congress was faced with a legislative proposal which would authorize the United States to participate and contribute to a revitalized international organization, geared to modern social and organizational developments, whose work is of especial significance to the United States, having, as it does, the highest standards in economic and social affairs.⁴⁹ The House Committee recast S. J. Res. 117 to include (1) a fixed dollar

limitation of 550 thousand dollars as the United States share authorized to be contributed to, and also a limitation of 95 thousand dollars to cover expenses incident to participation,⁵⁰ and the addition of a new section:

SEC. 3. No person shall serve as representative, delegate, or alternate from the United States until such person has been investigated as to loyalty and security by the Federal Bureau of Investigation; and no citizen or resident in the United States shall participate in session, conference, or meeting, or other work of the International Labour Organization or of any subordinate committee or organization thereof without the consent of the Secretary of State.⁵¹

These amendments were in line with the House amendments to S. J. Res. 98, the WHO measure, which, as we have seen, had been reported out of the House earlier, on July 17, 1947. In this respect, therefore, S. J. Res. 117 may be considered the companion piece of S. J. Res. 98 (WHO).

4. Final Action—Second Session

On June 14, 1948, the motion of Representative Jackson (California) to suspend the rules and pass S. J. Res. 117, with amendments, was voted on favorably by the requisite two thirds.⁵² Again as in the case of WHO, Senator Vandenberg's motion, on June 15, 1948, that the Senate disagree to the amendment of the House and requesting a conference with the House on the disagreement, votes of the two houses thereon was agreed to.⁵³ The following day the House agreed to a conference. The conference committee met, and on June 17, 1948, the conference report was approved by both houses of Congress, thus completing the necessary legislative action.⁵⁴

5. Public Law 843

S. J. Res. 117 was approved by the President on June 30, 1948, and became Public Law 843 which contains the following important provisions:

(a) Authorization for the President to accept for the United States the constitution of the instrument of amendment, 1946 (sec. 1);

(b) Authorization of an annual appropriation not to exceed \$1,091,739 per annum for payment of the United States share of ILO's expenses (sec. 2(a)) and a limitation of 95 thousand dollars per annum to cover expenses incident to participation (sec. 2(b)); and

(c) A statement that "No person shall serve as representative, delegate or alternate from the United States until such person has been investigated as to loyalty and security by the Federal Bureau of Investigation" (sec. 3).

It is interesting to note that no provision was incorporated similar to sec. 3 of Public Law 643 (80 Stat. 430), requiring the advice and consent of the Senate with respect to United States representation or any statement with regard to not committing the United States to enact any specific legislative program (sec. 5, Public Law 643). Of significance, too, is the absence in the law, as in the case of WHO, of the provision with respect to the Secretary of State's consent to participation by a citizen or resident of the United States in the activities of the Organization.

I. ACTION INITIATED AND COMPLETED DURING SECOND SESSION

International Telecommunication Union (ITU)

"The whole concept of the specialized agency", as has been well expressed, "is based on the conclusion that peace cannot be maintained indefinitely by nothing more than procedures for settling international disputes and stopping aggression as essential as they are . . .".⁵⁶ The world organization charted at San Francisco is, of course, an agency which has topmost responsibility for the maintenance of international peace and security. But the Charter of the United Nations itself recognizes that conditions of stability, cooperation, and well-being must be created if peaceful and friendly relations among nations are to be secured and that toward the achievement of this goal the specialized agency can render special service.⁵⁷ Though it may be agreed that the ITU does not have "wide international responsibilities", the ITU does, nevertheless, serve as a striking illustration of the role of the specialized agency in a larger area of intergovernmental cooperative effort of technical nature. Thus, article 1 of the agreement between the United Nations and the International Telecommunication Union provides for the recognition by the United Nations of the ITU as the specialized agency responsible for taking such action as may be appropriate under the basic instrument for the accomplishment of the purposes set forth therein".⁵⁸

1. Atlantic City Telecommunication and Radio Conferences

At the Five Power Preliminary Telecommunication Conference held in Moscow, September-October 1946, the Representatives of China, France, the United Kingdom, the Union of Soviet Socialist Republics, and the United States agreed that the existing telecommunication convention, signed at Madrid on December 9, 1932, and its appended radio regulations, signed at Cairo on April 8, 1938, required urgent revision in the light of technical developments in the telecommunication field and of problems resulting from dislocations of war.⁵⁹ Particular attention was paid to proposed reorganization of the constitution and structure of the ITU, the oldest international governmental organization in existence, having its foundation in the old International Telegraph Union organized at Paris in 1865.⁶⁰ Thus, the details governing the convening of the conferences which were to follow in Atlantic City in 1947 were decided upon in advance and much of the ground work had already been laid.

The International Telecommunication Conference met at Atlantic City from July 2 to October 2, 1947, and the International Radio Conference met from May 16 to October 2, 1947, the former Conference to revise or replace the Madrid convention and the latter to revise the Cairo radio regulations.⁶¹

The following nongovernmental organizations were represented at the Radio Conference: International Radio Electric Committee, International Radio Maritime Committee, Commercial Telegraphers Union, American Broadcasting Association, International Air Transport Association, International Amateur Radio Union, International Broadcasting Organization, International Broadcasting Union, International Chamber of Commerce, International Federation of Radio Officers, International Shipping Conferences, International Shipping Federation, and Radio Officers Union. The rules of procedure for the Plenipotentiary Conferences permitted observers representing these organizations to attend sessions of the Conference but not to participate in the discussions.

The accomplishments of the two Conferences have been fully discussed elsewhere.⁶² They are, in summary, as follows:

(1) RADIO CONFERENCE

(a) Adoption of a world-wide frequency-allocation table extending up to 10,500,000 kilocycles (the table established by the Cairo conference extended only up to 30,000).

(b) Creation of the International Frequency Registration Board (IFRB), a permanent board of 11 experts.

(c) Creation of the Provisional Frequency Board (PFB) for the purpose of putting the new allocation table into effect, composed of the 11 IFRB experts plus national members from any countries desirous of being represented on the PFB.

(2) TELECOMMUNICATION CONFERENCE (CENTERED ON REORGANIZATION OF THE ITU)

(a) Adoption of the concept of the Plenipotentiary Conference as the supreme organ of the Union, to meet every 5 years and to have the ultimate responsibility for all ITU affairs.

(b) Reorganization and enlargement of the Bureau of the ITU, which is to become the General Secretariat, with increased responsibilities.

(c) Adoption of the principle of one vote for each member of the Union, to which the United States attached great importance.

(d) Constituting of the Union's international consultative committees (telegraph (CCIT), radio (CCIR), and telephone (CCIF)) as permanent organs of the Union.

(e) Setting up of an administrative council, meeting at least once a year, thus providing a continuity of functioning between Conferences.

(f) As is the procedure in the United Nations, adoption of Chinese, English, Russian, and Spanish, in addition to French, as the official languages of the Union.

(g) Establishment of a new basis for membership in the Union, taking account of the resolution of December 12, 1946, of the General Assembly of the United Nations concerning Franco Spain.⁵³

(h) Conclusion of the agreement between the United Nations and the International Telecommunication Union, bringing the ITU into relationship with the United Nations (referred to above).

2. The Senate's Advice and Consent to Ratification

When President Truman on February 17, 1948, transmitted to the Senate for its advice and con-

sent to ratification a copy each of the international telecommunication convention, with annexes, the final protocol to the convention, and the regulations annexed to the convention, it was possible for the Chief Executive to enclose a copy of the Secretary of State to the President covering the accomplishments, among others, which have been noted. In addition, the President was free to point out that:

In the event that the Senate advises and consents to ratification of the convention, final protocol, and regulations, it is requested that the Senate do so with the understanding that such ratification will be subject to the declarations which were made by the delegates of the United States in signing the convention and which are set forth in the final protocol to the convention, namely: Signature of this Convention for and in the name of the United States of America constitutes, in accordance with its constitutional processes, signature also on behalf of all territories of the United States of America.

The United States of America formally declares that the United States of America does not, by signature of this Convention on its behalf, accept any obligation in regard to the Telegraph Regulations, the Telephone Regulations, or the Additional Radio Regulations referred to in Article 13 of the Atlantic City Convention.⁵⁴

On the floor of the Senate, Senator Vandenberg, in presenting the instruments to the Senate on June 2, 1948, stated:

Mr. President, the distinguished Senator from Maine [White] had hoped to be present to make a brief statement regarding this treaty. He, I think we can all concede, is the best-informed man in the Senate in respect to the subject matter involved in the treaty, the subject matter being the revision of the Madrid Convention, the revision of the Cairo radio regulations, the establishment of an international high-frequency broadcasting organization, and the allocation of frequencies to the service of high-frequency broadcasting. An orderly system of international rule and practice, which would give assurance of the largest and most efficient use of radio internationally with a minimum of interference and friction in the use of the available airways, is the matter involved.

I am very sure that the chairman of the committee would be at a total loss to understand the technicalities of the treaty even if it were explained for days. Therefore, the action which he recommends to the Senate is based upon the same reasons which he believes justify the Senate in accepting the treaty. I make this simple statement in respect to it.

The Senator from Maine, at the conclusion of his remarks, which is the report I sent to every Senator last week, certifies as follows:

"No governmental agency opposes ratification of this treaty, and I know of no American commercial interest which has raised its voice against ratification. There is an extraordinary unanimity of view among all inter-

the Senate should take prompt and affirmative action. I urge this course upon the committee and upon the Senate."

President, I know the Senate Foreign Relations Committee felt—a feeling which I am sure the Senate will share—that when the Senator from Maine was willing to devote his recuperating strength during the last three months to a careful study of this treaty, the judgment of the Senator from Maine on a subject of this nature was of great value, and in view of a total lack of opposition in public or by private interests in the United States with respect to this area of action, I believe the Senate will concur in my opinion that the Senator's approval of the treaty, which may perhaps be his final formal act in connection with his distinguished public service, deserves the ratification which the committee itself has given.

President, I submit that the treaty is entitled to be ratified.

Following the reading of the resolution of ratification by the Senate legislative clerk, the resolution was agreed to, and thereby the Senate gave its advice and consent to the ratification by the President of the instruments, which he subsequently signed on June 18, 1948.⁶⁶

Article 49 of the international telecommunication convention (concluded in Atlantic City on October 2, 1947) provides that the convention shall enter into force on January 1, 1949, with respect to countries and territories which have ratified or adhered to the convention by that date.⁶⁷

The ITU has, nevertheless, already begun to focus its attention on the bodies established and the procedures set up by the Atlantic City conferences, which have so well brought the Union up to date in telecommunication and on developments in the emerging field of international organization.

United Nations Headquarters Loan (Responsibility of Host)

On February 20, 1948, when President Truman submitted his report to the Eightieth Congress concerning the activities of the United Nations and participation therein of the United States during the calendar year 1947, he made the following remarks of prime significance to the future of the United Nations:

The problem of financing construction of the headquarters in a war-torn, dollar-short world economy was a difficult one on which the Advisory Committee on Headquarters held several discussions during the summer, following exploration of this problem by the Secretary-General. It soon became apparent that, owing to the critical dollar shortage, it would not be possible to finance the construction out of dollar contributions to be made by

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the Member nations during the next few years. The possibilities of raising the money through private loans were carefully explored. This solution, however, turned out to be impracticable for a number of reasons. Under the most satisfactory arrangement that was proposed, the loan would cover only part of the cost so that a substantial cash contribution would still have to be made by Members. Protection of the legal position of the lenders would involve difficult arrangements with respect to waiver of the United Nations immunity from suit and additional complications in architectural planning to satisfy the lenders that the buildings would be adaptable for other use in the theoretical contingency of a foreclosure. Moreover, there were indications that many Members would consider it inconsistent with the prestige of the United Nations if it were under obligations to private financial interests.

In view of the complications involved in private financing, the members of the Advisory Committee (the United States Representative abstaining from the discussion) unanimously requested the Secretary-General to approach the United States Government regarding the possibility of its making a loan.

In determining whether a loan should be made, consideration was given to the advantages, including not only savings in our participation and other economic factors but facilitation of our work in the United Nations, which the United States derives from the location of the permanent headquarters of the United Nations in this country.

In view of all the circumstances, it seemed that the United States could well afford as a recognition of the material as well as intangible benefits accruing to the United States from location of the United Nations on its shores, not only to make a loan to the United Nations for the construction of the headquarters, but to waive any interest on such a loan. Accordingly, Ambassador Austin was authorized to inform the Secretary-General, on behalf of the President, that the President would request the Congress to authorize such a loan without interest. This offer was accepted unanimously by the General Assembly on November 20, *on the express understanding that it was subject to the requisite authorization of the Congress*. At the date of this report, a loan agreement is being negotiated with the United Nations for submission to the Congress.⁶⁸ [Italics supplied by the author.]

1. *Antecedents to the Proposal*⁶⁹

The following discussion of sequence of events describes in fuller detail the background of, and necessity for, the loan agreement described in the President's report:

1. **EARLY STEPS.** The United Nations Charter, adopted at San Francisco on June 26, 1945, left the location of the United Nations headquarters to the General Assembly. Unanimously, on December 10 and 11, 1945, the House of Representatives and the Senate of the United States invited the United Nations to locate its seat and permanent headquarters in the United States. (House Con-

current Resolution 75, 79th Congress, First Session). The invitation was accepted by the General Assembly in February 1946.

2. **SELECTION OF NEW YORK.** Throughout 1946 the United Nations committee investigated various sites in the United States, particularly New York, Philadelphia, San Francisco, and Boston. It finally decided to accept a gift offer of an area in midtown New York made available by John D. Rockefeller, Jr., and by the city of New York. On February 26, 1947, the Congress of the United States exempted the gift from gift taxes. (Public Law 7, 80th Congress, First Session). The first meeting of the Headquarters Advisory Committee was held under the chairmanship of Ambassador Warren R. Austin in January 1947.

3. **THE HEADQUARTERS AGREEMENT.** An agreement covering the establishment of a permanent headquarters of the United Nations upon the New York site and also providing for the control of the headquarters was negotiated and signed between the United States and the United Nations on June 26, 1947. On August 4, 1947, both Houses of Congress unanimously authorized the President to bring the headquarters agreement into effect. (Public Law 357, 80th Congress, First Session.)

4. **THE QUESTION OF A LOAN.** The construction of the permanent headquarters⁷⁰ of the United Nations was suspended until a formula for financing such construction could be found, since the dollar shortage made it impracticable for most of the Members of the United Nations to make cash contributions. Thus, the Headquarters Advisory Committee of the United Nations General Assembly was faced with a major initial problem of deciding the best available means of obtaining a loan to finance the construction. A private loan was found to be out of the question, since even the most favorable terms available would still require Members to put up dollars that they did not have, and the necessity of clearing building plans with the lenders so as to insure the adaptability of the structures for other use in event of foreclosure was an additional impediment. Also, such a loan was thoroughly investigated and found to be beyond the statutory authorization of the Export-Import Bank and the Reconstruction Finance Corporation and beyond the powers of the International Bank for Reconstruction and Development.⁷¹ Accordingly, the idea of financing through a United

States Government loan was developed, in the following steps:

(a) August 29, 1947: Unanimous decision of the Headquarters Advisory Committee (United States Representative abstaining) to request the Secretary-General to approach the United States Government regarding the possibility of a loan to finance the construction of proposed headquarters.

(b) October 22, 1947: Dispatch of letters by the Acting Secretary of State to the chairmen and senior minority members of the Committee on Foreign Affairs and the Committee on Banking and Currency of the House of Representatives and of the Committee on Foreign Relations, Committee on Finance, and the Committee on Banking and Currency of the Senate, stating the intention of the United States Government to offer an interest-free loan to the United Nations to facilitate the headquarters building program and inviting comment in advance of the offer.

(c) October 29, 1947: Reply to the Secretary-General signed by Ambassador Austin, Representative of the United States, stating, in part:

The Government of the United States would be pleased to enter into negotiations with the Secretary-General of the United Nations with a view to concluding a loan agreement whereby an interest-free United States Government loan would be made available for the purpose of financing all or part of the cost of constructing United Nations headquarters. It would be the understanding of my Government that such a loan would be an amount not exceeding \$65,000,000. Further, it was understood that the loan would be extended for a period to be determined by negotiation with the Secretary-General and would be repayable in annual installments from the ordinary budget of the United Nations.

Such a loan would, of course, require the approval of the United States Congress. The President of the United States would be willing to request the approval of such a loan by the Congress upon conclusion of negotiations between the Secretary-General and my Government. It was assumed that the General Assembly will at this session make the necessary decisions and give the necessary authorizations required to proceed with the construction and financing of the headquarters.

(d) November 20, 1947: Adoption by the General Assembly of a resolution authorizing the Secretary-General to negotiate a loan consistent with the indicated terms and contingent upon Congressional approval and appropriations.

(e) November 21, 1947: Exchange of notes between the Secretary-General of the United Nations

Ambassador Austin bringing into effect the United Nations headquarters agreement.

February 13, 1948: Dispatch of letters by Under Secretary of State to the chairmen and senior minority members of the Committee on Foreign Affairs and the Appropriations Committee of the House of Representatives and of the Committee on Foreign Relations and the Appropriations Committee of the Senate, setting forth the terms of the headquarters loan agreement and all developments antecedent to it, stating the United States intention to sign the agreement and inviting comment.

February 25, 1948: Decision by the Headquarters Advisory Committee to advise the Secretary-General to execute the draft loan agreement.

March 23, 1948, the headquarters loan agreement referred to by the President in his report to Congress on United States activities in the United Nations for 1947, was signed by Trygve Lie, Secretary-General of the United Nations, representing the Organization, and by Ambassador Austin, on behalf of the United States.

2. Congressional Action

April 7, 1948, the President transmitted the agreement to the Second Session of the Eightieth Congress. In the message transmitting the agreement, the President stated in part:

I transmit herewith for the consideration of the Congress an agreement between the United States and the United Nations concerning a loan of \$65,000,000, without interest, to be made by the United States to the United Nations to finance the construction of the permanent headquarters of the United Nations in the United States. I enclose a letter from the Acting Secretary of State transmitting this agreement.

It is my hope that the Congress will carefully consider the proposal and grant its approval. The construction of permanent headquarters of the United Nations will be tangible evidence to the world that the United States is supporting to the full the institution to which the peoples of all nations are looking as their best hope for freedom from the fear of war.⁷²

On May 4, 1948, Senator Ives introduced S. J. Res. 212, authorizing the President to bring the agreement into effect on the part of the United States. The resolution was referred to the Committee on Foreign Relations. The Committee unanimously reported the resolution to the Senate without amendments, on June 15, 1948.⁷³ The principal arguments supporting the Committee's approval of the loan were:⁷⁴

1. It is essential to United States prestige and leadership in the United Nations;

2. It will greatly improve the operations of the United Nations by providing it with efficient headquarters;

3. By making the loan, the Federal Government would be responding to the substantial expenditures already undertaken by the city of New York with respect to the headquarters;⁷⁵

4. Adequate security for the loan is guaranteed by a lien on the headquarters buildings in favor of the United States;

5. The loan will serve as concrete evidence of United States full support of the United Nations; and

6. It will constitute a vote of confidence for the United Nations at a critical time in its history.

Three days later, S. J. Res. 212 was passed by the Senate, with two amendments proposed by Senator Ives authorizing the construction of the headquarters building to proceed through the borrowing of not in excess of 25 million dollars from the Reconstruction Finance Corporation, as an advance, until such time as the appropriation is actually made. The incorporation of these amendments was intended to enable the United Nations to proceed with its headquarters construction with as little delay as possible.⁷⁶

On the House side, Representative Javits had introduced H. J. Res. 386, the companion resolution to S. J. Res. 212, as early as April 26, 1948. The measure was referred to the House Committee on Foreign Affairs that day, and there it was placed in a one-package bill, H. R. 6802, together with three other legislative proposals being considered by the Committee at the time, all sharing the common objective of strengthening the United Nations.⁷⁷ On June 9, 1948, the House Foreign Affairs Committee reported out H. R. 6802, but at the time Congress adjourned conditionally pursuant to H. Con. Res. 218, on June 20, 1948,⁷⁸ the measure had not received final congressional action. Thus, when President Truman reconvened the Congress on July 26, 1948, the House of Representatives had an opportunity to act on S. J. Res. 212, which, it will be remembered, had passed the Senate previously. The House Committee on Foreign Affairs reported out S. J. Res. 212 on August 3, 1948.⁷⁹ Two days later, the measure passed the House, under suspension of the rules

which allow 40 minutes of general debate but preclude amendments.⁸⁰

During the debate, Representative Javits pointed out the considerations in favor of the loan in the following words, in part:

Mr. Speaker, the American people have shown in numerous polls and otherwise that they are overwhelmingly behind the United Nations as the world's best and perhaps last chance for peace.

Mr. Speaker, the resolution before the House today is an effort to clothe those words with actions and to redeem the prestige and authority of the United States, especially with reference to the invitation that was extended to the United Nations by giving it a suitable home here.

I invite any member of the Congress to go out to the United Nations headquarters at Lake Success and see the "salt mine" in which they work—most of the staff, especially the personnel in the lower echelons, work in an abandoned factory building without natural light or air for most of the personnel. Then, to say whether or not we are acting as host to the world's great hope for peace or suitably accommodating the assemblage of nations which by our invitation is located in the United States.

As to the merits of the loan itself; the loan will be repaid out of the regular budget of the United Nations. I do not think that has been made clear. The United States contributes not most of the money but only about 40 percent to that budget. The reason for the loan having been made interest free is as a straight *quid pro quo* on a business basis. Income from the expenditures in the United States of the United Nations delegations and others who come here to the United Nations is estimated at about \$20,500,000 a year. If the question had been: "Shall the United Nations headquarters be paid for outright by a special levy on the United Nations?" would it not have been logical to suppose that the United States would have been asked for a greater proportion of the amount than is shown by its contribution to the normal administrative budget of the United Nations? Let us say the United States would have been asked for at least 60 percent, and with some justice. Instead of paying more than our share of the administrative budget then, into a special building fund, we are making an interest-free loan.

One final point: Would it not be anomalous for us, as has been said by the gentleman from Michigan, to be spending billions of dollars for armament, and then to bridle at 65 million dollars, a loan with adequate security, which we are asked to make in the cause of peace; and in the

cause of enabling the institution for peace to have a safe, in the one place in the world where we know it is safe, in the United States? Are we not a generous host to extend to the United Nations Organization is here in response to our own invitation in which hope for peace of hundreds of millions of people wrapped up, just that degree of hospitality?"

3. Provisions of Public Law 903

Public Law 903 authorizes the President allowing appropriation of 65 million dollars by Congress, or the advance of up to 25 million dollars by the Reconstruction Finance Corporation bring the loan agreement into effect on the part of the United States. The money is to be used solely for the construction of the United Nations headquarters in New York City, including necessary architectural and engineering work, landscaping, underground construction, and appropriate improvements. The loan is to be interest free, and repayment is to be made in annual installments, beginning July 1, 1951 (approximately the date the United Nations will be installed in its new home), and ending July 1, 1982. Under the schedule of repayments, half of the loan is expected to be repaid by July 1, 1966. No financial risk is involved, for section 6 of the loan agreement makes it clear that the loan is in the nature of a first mortgage; so long as any part of the loan is unpaid, the United Nations must obtain the consent of the United States before disposing of or encumbering any of the property involved.

Through the national legislative process action was thus completed which will prove to be a tangible, visible symbol of the unswerving support of the United Nations by its host Member. The enactment of S. J. Res. 212 into law was greeted with great enthusiasm at Lake Success, for by this action the United States has not only made it possible for the United Nations to establish a headquarters here but has also given continuing evidence of confidence we place in the Organization which is striving to keep the world in security and at peace.

NOTE: Parts IV, V, and VI of this article and an appendix of selected texts of related documents will appear in the BULLETIN of Sept. 19, 1948.

FOOTNOTES

¹ Sheldon Z. Kaplan, *Eightieth Congress, First Session, and the United Nations* (Department of State publication 2982).

² *Ibid.*, p. 3. The invitation was issued through the medium of H. Con. Res. 75, 79th Cong., 1st sess. For text, see appendix, BULLETIN of Sept. 19, 1948.

³ The Second Session convened Jan. 6, 1948, and adjourned June 20, 1948, until noon, Dec. 31, 1948, or recalled by the president *pro tempore* of the Senate, speaker of the House of Representatives, the acting majority leader of the Senate, and the majority leader of the House of Representatives, acting jointly (H. Con. Res. 100, 79th Cong., 1st sess., Dec. 31, 1948).

FOOTNOTES—Continued

text printed in *Cong. Rec.*, June 21, 1948, p. 9517, is identical with S. Con. Res. 33, 80th Cong., 1st sess., as provided for the adjournment of the First Session of the Eightieth Congress on July 27, 1947, until Jan. 2, 1948. As in the case of the First Session (reconvened by the President of the United States Nov. 17, 1947, by Proclamation of Oct. 23, 1947; see appendix, BULLETIN of Feb. 19, 1948), the President, exercising his constitutional power, proclaimed and declared "that an extraordinary session requires the Congress of the United States to convene at the Capitol" on July 26, 1948 (Proclamation 2849, issued July 15, 1948; see appendix, BULLETIN of Feb. 19, 1948). Neither reconvening by the President is, strictly speaking, a call of a "special session" of Congress. In both cases Congress recessed. It did not adjourn *sine die*; therefore, President Truman's recalls were only a reconvening of the First Session and of the Second Session, respectively. Noteworthy, however, is the constant reference to the joint session of the two houses of Congress as "special session" in the President's message of July 27, 1948 (see *Cong. Rec.*, July 27, 1948, pp. 9592-94). For an excellent analysis of the whole subject of special sessions, see the memorandum submitted by the Federal Research Section, Library of Congress, to the Senate Committee on the Judiciary, printed in *Cong. Rec.*, Nov. 17, 1947, pp. 10696-97. The First Session adjourned *sine die* on July 19, 1947. The Second Session adjourned Aug. 7, 1948, on Dec. 31, 1948, pursuant to H. Con. Res. 222, again providing a special agreement permitting the Republican Party to reconvene the Congress should conditions permit (*Cong. Rec.*, Aug. 7, 1948, pp. 10278, 10415; text of H. Con. Res. 222, p. 10412).

Legislation which has not been enacted into law during the first session of a Congress retains at the commencement of the second session the same relative position that it had at the first session adjourned. Pending legislation dies at the end of a Congress, not at the end of a session. Kaplan, *op. cit.*, p. 16. See also Emil J. Sady, "Report of the South Seas Conference: With an Analysis of the Agreement Establishing the South Pacific Commission," BULLETIN of Mar. 16, 1947, p. 459. The full text of the agreement together with a "Resolution Concerning Immediate Projects" will be found in South Seas Commission Conference Papers, doc. P/18, Feb. 6, 1947.

The scale of contributions is based on national income, relative national interest in and benefit from the Commission, and the administrative responsibility in the South Pacific of the respective governments. The percentage contributed, pursuant to article XIV of the agreement establishing the South Pacific Commission, is as follows: Australia, 30; France 12.5; the Netherlands, 15; New Zealand, 15; the United Kingdom, 15; and the United States, 15. (See also *United States Relations with International Organizations*, S. Rept. 1757, 80th Cong., 2d sess., pp. 1-6.) The original legislative proposal, as drafted by the Department of State and submitted to the speaker of the House of Representatives and the president *pro tempore* of the Senate, did not contain the specified ceiling of \$20,000 to be appropriated as the U.S. share of Commission expenses. The reason for not specifying any

definite amount, but simply stating that "There is hereby authorized to be appropriated . . . such sums as may be necessary: (a) for the payment by the United States of its proportionate share of the expenses of the Commission . . .", was to make it unnecessary to seek amending legislation in case of an increase some subsequent fiscal year in the U.S. proportionate share of Commission expenses (italics supplied by author). Moreover, the Department of State must each year justify before the Appropriations Committees of both houses of Congress appropriations for participation in international organizations. Thus, it was felt the authorizing legislation should be drafted in such a way as to make it unnecessary to seek new enabling legislation, which would be required, in order to authorize a possible future increase. Legislation proposed by the Department of State authorizing membership in the World Health Organization, Pan American Railway Congress, Iro, and Caribbean Commission and acceptance of the constitution of the International Labor Organization instrument of amendment likewise contained no specification of amount. But the attitude of the House Foreign Affairs Committee on these legislative proposals was against such omission. Hence, these measures all contain a fixed dollar limitation.

⁷ Art. XXI of the agreement provides that the Governments of Australia, the French Republic, the Kingdom of the Netherlands, New Zealand, the United Kingdom of Great Britain and Northern Ireland, and the United States of America shall become parties to the agreement by: (a) signature without reservation; or (b) signature *ad referendum* and subsequent acceptance. Since the representative of the Government of the United States had signed the agreement at Canberra on Feb. 6, 1947, *ad referendum*, such notification of acceptance was necessary. The agreement does not take effect with respect to a state signing *ad referendum* until the deposit of the instrument of ratification, in conformity with its constitutional procedure (Hackworth, *Digest of International Law*, vol. V (1943), pp. 46-47). See South Seas Commission Conference Papers, doc. P/18, Feb. 6, 1947, p. 10. Art. XXI also provides that the Government of Australia shall on behalf of all participating governments register the agreement with the Secretariat of the United Nations pursuant to art. 102 of the U.N. Charter. See also BULLETIN of Feb. 15, 1948, p. 214.

⁸ See, in general, Proceedings of the South Pacific Commission, First Session, with annexes thereto.

⁹ With the deposit by the Netherlands of its instrument of ratification on July 29, 1948, the agreement establishing the South Pacific Commission came into force.

¹⁰ Kaplan, *op. cit.*, pp. 15-16. This technical amendment is similar to the one described in connection with the South Pacific Commission.

¹¹ See *Cong. Rec.*, Feb. 2, 1948, p. 885: "Mr. TAFT. Mr. President, I made an objection to this resolution on several occasions when it was reached on the calendar. I wish to withdraw my objection. I have gone into the whole matter of the Caribbean Commission. I think the work it is doing is good, and I hope there will be no further objection to the resolution."

FOOTNOTES—Continued

"The PRESIDENT pro tempore. If the Chair may be permitted to say so, he would like to thank the Senator from Ohio for withdrawing his objection. The resolution involves a very modest sort of an adventure. It involves only cooperative civil relationships in the Caribbean area, and it is a matter with which our Latin-American friends are greatly concerned. . . ."

¹² The U.S. contribution to the Caribbean Commission is based on the following: one third of the budget is assessed equally among the member governments, one third is assessed on the basis of population, and the remaining one third is assessed on the basis of national income of members. The resulting percentage quotas are: France, 16; Netherlands, 11.3; United Kingdom, 34.3; and United States, 38.4. See *United States Relations with International Organizations*, S. Rept. 1757, 80th Cong., 2d sess., p. 25.

¹³ See Kaplan, *op. cit.*, p. 16, note 83.

¹⁴ BULLETIN of July 4, 1948, p. 19.

¹⁵ "Report on the West Indian Conference," by Elizabeth H. Armstrong, *ibid.*, May 19, 1946, p. 845.

¹⁶ An account of the events leading up to and including the activities of the Eightieth Congress, First Session, with regard to WHO will be found in Kaplan, *op. cit.*, pp. 10-13.

¹⁷ *Cong. Rec.*, July 7, 1947, p. 8493. The clause "in the absence of any provision in the World Health Organization for withdrawal from the Organization", which had appeared in the Senate committee's amendment, was stricken out by the Senate, upon amendment offered by Senator Vandenberg (later, as we shall see, to be restored).

¹⁸ S. Rept. 421, 80th Cong., 1st sess., p. 7.

¹⁹ *Cong. Rec.*, July 3, 1947, p. 8447.

²⁰ 13th plenary sess. See U.N. doc. E/772, Mar. 11, 1947, pp. 32-33.

²¹ Dr. H. van Zile Hyde, *World Health Organization—Progress and Plans* (Department of State publication 3126), pp. 14-15. This publication is an excellent survey of WHO's progress and plans and contains a selected bibliography which should prove of considerable value. Art. 100 of the U.N. Charter reads:

"1. In the performance of their duties the Secretary-General and the staff shall not seek or receive instructions from any government or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization.

"2. Each member of the United Nations undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities."

²² BULLETIN of June 27, 1948, p. 832. See also *United States Treaty Developments* (Department of State publication 2851), under "July 22, 1946, TIAS 1561".

²³ H. Rept. 979, 80th Cong., 1st sess., pp. 3-4. See also *Cong. Rec.*, May 28, 1948, p. 6914.

²⁴ WHO is the first specialized agency of the U.N. of which the U.S. has not, as of the date of this writing, been a member at the time of entry into force of its basic instrument (Hyde, *op. cit.*, p. iv).

²⁵ See H. Rept. 1999, 80th Cong., 2d sess., p. 2.

²⁶ "... one of the safeguards put in at the instigation of members of the Committee on Rules" (*Cong. Rec.*, 28, 1948, p. 6912).

²⁷ Thus excluding the possibility of any moral obligation of passing domestic legislation to give effect to the preamble declaration that "... Governments have a responsibility for the health of their peoples which can be fulfilled only by the provision of adequate health and social measures" (text of the preamble is set forth in Hyde, *op. cit.*, p. 11).

²⁸ Art. 11 (*ibid.*, p. 12).

²⁹ The functions of the Executive Board are set forth in art. 28 of the WHO constitution (*ibid.*, p. 14).

³⁰ Assuming, of course, an interpretation of "active participation as a physician or surgeon" as excluding practice in the field of public health.

³¹ This resolution is as follows:

"Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the resolution (H. J. Res. 409) providing for membership participation by the United States in the World Health Organization and authorizing an appropriation therefor. That after general debate, which shall be confined to the joint resolution and continue not to exceed one hour, the debate shall be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the joint resolution shall be read for amendment under the five-minute rule. At the conclusion of the reading of the joint resolution for amendment, the Committee shall rise and report the same to the House with amendments as may have been adopted, and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit."

³² The following House parliamentary steps taken during the day to achieve this result may be worth recording: (1) House agreed to H. Res. 602; (2) Rep. Bolton moved that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of H. J. Res. 409 (the House agreed to this action); (3) House resolved itself into the Committee of the Whole House on the State of the Union, with Rep. Barrett as Chairman of this Committee; (4) the Committee considered H. J. Res. 409, with practically no opposition; (5) the measure following Rep. Judd's explanation thereon; (6) The Speaker pro tempore of the House, Rep. Halleck, resumed the chair, whereupon Rep. Barrett, the Chairman of the Committee of the Whole House on the State of the Union, reported H. J. Res. 409 to the House; (7) H. J. Res. 409 thereupon passed the House (See *Cong. Rec.*, May 28, 1948, pp. 6911-6.)

³³ S. J. Res. 98, which it will be recalled had passed the Senate July 7, 1947, had been referred to the House Committee on Foreign Affairs the following day.

³⁴ H. Rept. 2197, 80th Cong., 2d sess. Text of the resolution is also set forth in *Cong. Rec.*, June 4, 1948, p. 7335.

³⁵ *Cong. Rec.*, June 8, 1948, pp. 7510, 7626.

FOOTNOTES—Continued

BULLETIN of July 18, 1948, p. 80. Cf. the interesting comment on the U. N. and Who contained in *Cong. Rec.*, 80, 1948, p. A4948.

The Eightieth Congress has imposed a statutory limitation in its enabling legislation on expenses of participation (salaries of U.S. representatives and allowances, printing and binding, etc.) in the case of only two other international organizations: the Iro (Public Law 146, 80th Cong., 1st sess., sec. 3 (b)) and (Public Law 843, 80th Cong., 2d sess., sec. 2 (b)), passed *post*. Significant is the actual appropriation of \$5,000 by the Congress for fiscal year 1949 as the U.S. contribution to the budget of Who (Second Deficiency Appropriation Act, 1948, Public Law 785, 80th Cong., 2d sess., p. 23). For actual appropriations made to other international organizations, see also Public Law 793, 80th Cong., 2d sess., p. 5, and Public Law 597, 80th Cong., 2d sess., pp. 4-6.

U.N. press release H/233, June 21, 1948. Under art. 1 of the Who constitution (Hyde, *op. cit.*, p. 18) the World Health Assembly is a competent body to settle any question concerning the application or interpretation of the Who constitution.

The First World Health Assembly met in Geneva from July 24 through July 24, 1948. For a survey of its accomplishments, see *United Nations Bulletin* of Aug. 15, 1948, pp. 36-37.

BULLETIN of July 4, 1948, p. 16.

U.N. LEG. 82/2/01/AL, July 13, 1948. Art. 82 of the U.N. constitution provides that "The Secretary-General of the United Nations will inform States parties to this constitution of the date when it has come into force. He will also inform them of the dates when other States have become parties to this Constitution" (Hyde, *op. cit.*, p. 18). See *The Treaty of Versailles and After—Annotations to the Text of the Treaty* (Department of State publication 2724), pp. 692-95.

See S. Rept. 208, 80th Cong., 1st sess., pp. 3-4. For a comparison of the text of the Ilo constitution as it existed in 1919, with the text of the new constitution of 1946, see the instrument of amendment, see *International Labour Office Bulletin*, vol. XXIX, Nov. 15, 1946, pp. 1-3. An outline of the old structure will be found in *International Agencies in which the United States Participates* (Department of State publication 2699), pp. 215-25. See *International Labour Review*, vol. LV, Jan.-Feb. 1947, pp. 1-45, for review of conference accomplishments, and the article by the legal adviser of Ilo, C. W. Jenks, "The Revision of the Constitution of the International Labour Organization", in *The British Yearbook of International Law*, XXIII, 1946 (Oxford University Press, London), p. 303.

Of particular importance to such federal states as the United States, Canada, and Australia. See H. Rept. 1057, 80th Cong., 1st sess., p. 6.

Ibid., pp. 8-13.

S. Rept. 208, 80th Cong., 1st sess.

Cong. Rec., June 2, 1947, pp. 6302-07.

H. Rept. 1057, 80th Cong., 1st sess., pp. 5-6, and S. Rept. 208, 80th Cong., 1st sess.

⁸⁰ See note 37, *supra*.

⁸¹ H. Rept. 1057, 80th Cong., 1st sess., p. 2.

⁸² *Cong. Rec.*, June 14, 1948, pp. 8254-55.

⁸³ *Ibid.*, June 15, 1948, p. 8548.

⁸⁴ *Ibid.*, June 17, 1948, pp. 8721, 8845. See H. Rept. 2384, 80th Cong., 2d sess.

⁸⁵ Public Law 843, 80th Cong., 2d sess. See appendix, BULLETIN of Sept. 19, 1948.

⁸⁶ "The General Conference of UNESCO, Paris", by Esther C. Brunauer, BULLETIN of May 25, 1947, p. 1019.

⁸⁷ Art. 57 of the U. N. Charter provides that specialized agencies, established by intergovernmental agreement and having wide international responsibilities as defined in their basic instruments in economic, social, cultural, educational, health, and related fields, shall be brought into relationship with the U. N., and that such agencies shall be referred to as "specialized agencies". Art. 63 of the Charter provides, in part, that Ecosoc (Economic and Social Council of the U. N.) may enter into agreements, subject to subsequent U. N. General Assembly approval, with any of these agencies bringing them into relationship with the U. N. The specialized agencies, in the sense of arts. 57 and 63, are, as of this writing: Ilo (International Labor Organization), Fao (Food and Agriculture Organization of the United Nations), UNESCO (United Nations Educational, Scientific and Cultural Organization), Icao (International Civil Aviation Organization), the Bank (International Bank for Reconstruction and Development), the Fund (International Monetary Fund), Upu (Universal Postal Union), Itu (International Telecommunication Union), and Who (World Health Organization). Other organizations expected to become "specialized agencies" shortly are: Ito (International Trade Organization), Imco (Intergovernmental Maritime Consultative Organization), Wmo (World Meteorological Organization), and Iro (International Refugee Organization), despite the fact that the last-named agency is, under its constituent instrument, a *temporary* organization. An excellent review of the work of the specialized agencies during 1947 will be found in *United Nations Bulletin*, Jan. 1, 1948, pp. 15-31.

⁸⁸ S. Exec. B, 80th Cong., 2d sess., p. 80. The agreement was negotiated pursuant to art. 57 of the U.N. Charter and art. 26 of the 1947 Itu convention drawn up in Atlantic City. The most distinguishing feature of the U.N.-Itu agreement is art. XV, whereby the U.N. undertakes to operate its telecommunication services in accordance with the provisions of the 1947 convention and regulations annexed thereto. The Itu moreover recognized that the U.N. should benefit by the same rights as members of the union which operate telecommunication services.

⁸⁹ *Ibid.*, p. 3. See also BULLETIN of May 25, 1947, p. 1034, and "The Atlantic City Telecommunication Conferences," by Francis Colt de Wolf, *ibid.*, Nov. 30, 1947, p. 1033.

⁹⁰ The structure of the Itu, as it existed before the Atlantic City conferences, is outlined in *International Agencies in which the United States Participates*, Department of State publication 2699, pp. 265-66. A more detailed analysis of the structure will be found in De Wolf, *op. cit.*, p. 1034.

FOOTNOTES—Continued

⁶¹ In addition there was held the International High Frequency Broadcasting Conference, which met from Aug. 26 to Sept. 26, 1947. This was a preparatory conference designed to pave the way for the consideration of a world-wide frequency-assignment plan at a full conference to be held in Mexico City in 1948.

⁶² De Wolf, *op. cit.*, p. 1033. See also excerpt from the report of the U.S. Delegation to the conferences, contained in S. Exec. B, 80th Cong., 2d sess., pp. 379-89 (the complete report is now being printed as a Department of State publication).

⁶³ By this resolution, the General Assembly recommended, in part, "that the Franco Government of Spain be debarred from membership in international agencies established by or brought into relationship with the United Nations, and from participation in conference or other activities which may be arranged by the United Nations or by these agencies, until a new and acceptable government is formed in Spain" (U.N. doc. A/64/Add.1, Jan. 31, 1947, pp. 63-64).

⁶⁴ S. Exec. B, 80th Cong., 2d sess., pp. 1-2.

⁶⁵ *Cong. Rec.*, June 2, 1948, p. 7143.

⁶⁶ BULLETIN of June 27, 1948, p. 841.

⁶⁷ S. Exec. B, 80th Cong., 2d sess., p. 45.

⁶⁸ *The United States and the United Nations, Report by the President to the Congress for the Year 1947* (Department of State publication 3024), pp. 85-86.

⁶⁹ S. Rept. 1682, 80th Cong., 2d sess., p. 2, and H. Rept. 2291, 80th Cong., 2d sess., pp. 22-24. See also Kaplan, *op. cit.*, pp. 3-7; the remarks of Sen. Ives in *Cong. Rec.*, May 4, 1948, pp. 5348-49; and *Annual Report of the Secretary-General On the Work of the Organization, 1 July 1947-30 June 1948*, U.N. doc. A/565, 1948, pp. 131-33.

⁷⁰ The temporary headquarters of the United Nations are located in a converted factory at Lake Success, Long Island, where the space is cramped and in large part unsuitable for office use. The General Assembly meets in the New York State Building at the old World Fair grounds, about 20 minutes' drive away. Both buildings are far from hotels, with the result that delegates have to spend many hours commuting to and from New York City.

⁷¹ The International Bank was established primarily for the purpose of the reconstruction and development of the territories of members of the Bank devastated by the war. A loan for the purpose of constructing the headquarters of the United Nations would seem not to fall easily within the purposes for which the Bank was established. Art. III, sec. 1, of the articles of agreement of the International

Bank, providing that the resources and the facilities of Bank are to be used exclusively for the benefit of members of the Bank, might raise a question as to whether a loan to the United Nations, whose membership is considerably broader than that of the Bank, would be for the benefit of the members of the Bank. See *United Nations Monetary and Financial Conference* (Department of State publication 2187), p. 72.

⁷² H. Doc. 595, 80th Cong., 2d sess., pp. 1-2.

⁷³ S. Rept. 1682, 80th Cong., 2d sess.

⁷⁴ *Ibid.*, pp. 10-11. For editorial comments on the loan prior to the Committee's approval, see *Cong. Rec.*, June 1948, pp. A3608-09.

⁷⁵ See letter from N.Y. City Mayor's Committee on United Nations Headquarters to Speaker of the House of Representatives, H. Rept. 2291, June 10, 1948, pp. A3898-99.

⁷⁶ *Ibid.*, June 18, 1948, pp. 8910-11. There was no debate on S. J. Res. 212, nor was any objection voiced to Sen. Ives' amendments.

⁷⁷ H. Rept. 2291, 80th Cong., 2d sess., p. 2. H. R. 6802, a bill "To strengthen the United Nations and promote international cooperation for peace," included the following other legislative proposals: Amendment of the United Nations Participation Act of 1945 (Public Law 274, 76th Cong., 1st sess.), secs. 1 through 6 and sec. 10 (a); convention on privileges and immunities of the United Nations (S. J. Res. 136, passed by the Senate July 17, 1947), sec. 1, and authorizing the lending of U.S. Government personnel to and performance of services by agencies of the U.S. Government for the U.N. and other international organizations, sec. 7. The legislative proposal authorizing the U.S. loan was contained in sec. 9 and 10 (b).

⁷⁸ See note 3, *supra*.

⁷⁹ H. Rept. 2452, 80th Cong., 2d sess.

⁸⁰ *Cong. Rec.*, Aug. 5, 1948, pp. 10048-57. On Aug. 4, 1948, the House adopted, by a vote of 216 yeas to 122 nays, H. Res. 707, making in order motions to suspend the rules for recess, and for consideration of reports from the Committee on Rules for the balance of the second session of the 80th Congress (*Cong. Rec.*, Aug. 4, 1948, pp. 9917-27), thereby permitting the passage of a bill without amendments after 40 minutes' debate, with a two-thirds majority required for passage. S. J. Res. 212 was considered and passed in the House pursuant to this procedure. It was approved by the President Aug. 11, 1948, and became Public Law 90-1. For text, see appendix, BULLETIN of Sept. 19, 1948.

⁸¹ *Cong. Rec.*, Aug. 5, 1948, p. 10053.

⁸² For detailed analysis of the loan agreement, see S. Rept. 1682, 80th Cong., 2d sess., pp. 3-6, and H. Rept. 2452, 80th Cong., 2d sess., pp. 7-10.

COMMERCIAL FOREIGN POLICY OF THE UNITED STATES

by Woodbury Willoughby

Chief, Division of Commercial Policy

the charter for an International Trade Organization, which was signed by 53 nations at Habana in March of this year and is now awaiting ratification. It has been termed, "A Declaration of Economic Independence". This international organ is designed to provide a medium through which the world can cooperate to cut away the accumulated restrictions which have snarled peacetime international trade. The basic objective of the charter is to facilitate the flow of commerce.

American foreign-trade policy has its roots in the basic philosophy of the founders of the Nation. In many respects, notably our efforts to eliminate discrimination, the basic principles of our commercial policy have changed little through the years. A committee of the Continental Congress prepared the "Plan of 1776" which presents the basic concepts of our economic foreign policy. As early as 1778, in our treaty with France, each nation accorded to the other any privileges granted to any third nation. In the Jay Treaty of 1794 Great Britain and the United States agreed to establish commercial relations on a nondiscriminatory basis. Washington, when he stood in his Farewell Address that "our commercial policy should hold an equal and impartial hand, neither seeking nor granting exclusive privileges or preferences", expressed our historical policy.

With only minor variations nondiscrimination has been a keystone of our commercial policy ever since. Secretary of State Hughes announced in 1919 that the most-favored-nation principle, without qualification, would be followed in commercial agreements of the United States. The Trade Agreements Act, which was originally passed in 1919 and has since been renewed by Congress five times, is the statutory basis for all our tariff negotiations in recent years. It specifically requires that any tariff reduction made under authority of the act be extended unconditionally and imme-

diately to all countries not discriminating against the United States. Agreements have been concluded with 42 countries under the provisions of this act.

The objective of the ITO charter epitomizes the basic principles which have underlain a series of treaties, agreements, and other international instruments to which the United States has become a party since the outbreak of World War II. These principles may be found in the Atlantic Charter of 1941; in the lend-lease agreements; in the articles of agreement of the International Monetary Fund and the International Bank for Reconstruction and Development in 1944; in the Anglo-American financial agreement in 1945; in the Economic Cooperation Act of 1948; and in various other international documents. They are also to be found in our recent treaty of friendship, commerce, and navigation with China. They are incorporated in other commercial treaties already in effect as well as in a number now under preparation or negotiation. All of these documents spell out in clear and unmistakable terms the desire of the United States to make international trade as unhampered and nondiscriminatory as possible.

It is not merely accidental that the United States has taken an active part in sponsoring the formation of the International Trade Organization. The basic requirement of the principal commercial-policy provisions of the charter for an International Trade Organization is that all members agree to extend to all other members unconditionally "any advantage, favour, privilege or immunity" accorded to any other member country on any product. Certain preferences, such as those between territories related by a common sovereignty or between specified neighboring states, are exempt. However, all members agree to carry on negotiations to reduce tariffs and eliminate preferences. In general, no preferences can be increased nor can new ones be added. Furthermore, the benefits

resulting from these reductions in tariffs and preferences must not be offset by the imposition of internal taxes, regulations, or other invisible forms of protection.

Probably the most important provisions of the charter are those which prohibit the imposition of quantitative restrictions limiting the volume of exports and imports and having the effect of nullifying the tariff and preference reductions. Since such restrictions throttle competition and foster economic isolationism, the charter renounces the concept and strictly limits the use of such controls.

There are a number of exceptions to the ban on quantitative restrictions, including one authorizing their use on agriculture or fisheries products when such measures are needed to implement government measures for limiting domestic production and marketing or to facilitate surplus-disposal programs. The most important exception to the basic rule against quota restrictions is that when a member is faced with balance-of-payments difficulties, as evidenced by a serious decline in its monetary reserves, or the need to increase its already low reserves, it may impose quantitative import restrictions.

Members are enjoined from using trade restrictions to frustrate the exchange provisions of the articles of agreement of the International Monetary Fund or applying exchange controls that would nullify the provisions of the charter relating to quantitative restrictions. Members of the Ito either must become members of the International Monetary Fund or enter into a special exchange agreement with that organization. Ito members must also furnish necessary information to the Fund if they do not belong to the Fund organization.

The charter, as agreed to at Habana last spring by representatives of 53 countries, provides that if any member pays a subsidy to increase exports it must notify the Ito and agree to negotiate with any member which believes itself to be injured thereby. Countervailing duties on imports of products which are subject to export subsidies by another member are permitted as defenses against subsidies.

Another section of the charter deals with state trading. Countries carrying on trade through state enterprises are required to conduct their commerce in a nondiscriminatory fashion. Members of the Ito must have equal opportunity in trade

with state-trading agencies, and those agencies to be guided by commercial rather than political considerations.

Another provision on commercial policy requires members to eliminate, so far as possible, restrictive business practices fostering private monopolistic control of international markets and trade. It is evident that if governments are to be stopped from engaging in harmful trade practices, private business should be prevented from accomplishing the same result by different means.

Members are obligated to take measures conducive to the achievement of full and productive employment within their respective domains, which includes action to eliminate substantial conditions of labor. The charter does not go beyond laying down the goals toward which members should move, because specific measures to be undertaken must be appropriate to the political, economic, and social institutions of the respective members.

Members agree to develop their own resources and to raise their standards of productivity. They also agree to cooperate with other countries through the medium of international agencies for the purpose of promoting general economic development. The charter provides that members will not place any unreasonable impediment to the exportation of facilities used for development purposes, and such facilities will not be used in a manner injurious to the member providing them. Foreign investment must be given equitable treatment and adequate protection.

The decision as to what industries are to be developed will continue to rest with the individual countries. Subsidies are permitted when necessary for new industries. Unless the member has signed a trade agreement not to raise the duties on specified products, further tariff protection may be accorded.

In the latter case, the member must request the Ito to consult with the other members whose trade would be affected by the action and must obtain a limited release. The same procedure must be followed in imposing quotas. The charter makes it incumbent upon all members to deviate as little as possible from the basic policy of the program it enunciates.

Although the basic objectives of our foreign commercial policy have changed little throughout our history, there has been a major orientation

matter of tariff duties. The changed position of the United States from a debtor to an active creditor country created a strong motive to reverse the trend toward higher and higher tariffs in favor of selective reductions through negotiation with other countries. Under the reciprocal trade agreements program the tariff rates on a large percentage of our dutiable imports have been reduced.

This process of reducing our tariff rates in exchange for compensating concessions by other countries was carried a long step forward by negotiations at Geneva in 1947. While the drafting of a charter for an International Trade Organization was in process at Geneva in the spring and summer of 1947 more than a score of the participating countries undertook to give concrete evidence of the sincerity of their belief in the principles of the charter by undertaking simultaneous negotiations to reduce tariffs and other trade barriers.

At the Geneva conference the representatives of 38 countries were able to negotiate reductions in barriers to world trade on the most comprehensive ever undertaken. There were almost six months of continuous negotiating which required 1,000 formal meetings and an even greater number of less formal discussions. The delegates agreed to tariff concessions covering products which account for almost half the world's imports, and at the same time they worked out general rules of trade to safeguard and make these concessions effective. They dealt with trade controls of all kinds—not only tariffs but also preferences, quotas, internal controls, customs regulations, state trading, and subsidies.

It was not only the volume of world trade created by this conference which made these achievements of such striking importance, but also the fact that such comprehensive trade negotiations were conducted on a multilateral basis. The general principles on matters affecting international commerce were worked out as a joint effort. The final discussions of tariff negotiations were undertaken product by product between the principal supplier and the principal importer, but, when a concession was agreed upon, that concession was automatically extended to all negotiating countries.

The so-called general provisions of the General Agreement on Tariffs and Trade prevent a coun-

try, by discrimination or otherwise, from nullifying tariff concessions. In a sense they are a code of fair competition for the conduct of international trade. They are similar to some of the provisions in the proposed charter and to the general provisions of our own reciprocal trade agreements. The general agreement has provisionally replaced some of the individual reciprocal trade agreements which the United States already had with a number of the negotiating countries, but it is not a complete substitute for the ITO charter.

In addition to its leadership in developing the charter, the United States is also broadening the scope of its treaties of friendship, commerce, and navigation, which are the basic bilateral instruments that define our treaty rights in foreign countries. Some of these treaties are more than 100 years old. The China treaty, already referred to, is representative of the newer spirit of these treaties of friendship, commerce, and navigation. Among the major improvements is a clear definition of both the rights of American corporations in China and the rights of Americans participating in Chinese corporations. For the most part the rights provided in the treaty are mutual. There is a new provision specifying the treatment that must be accorded in the administration of exchange controls. The treaty also limits the use of quantitative controls and lays down rules to govern state trading, as do the charter and Geneva agreement. There are provisions designed to facilitate the settlement of commercial disputes by arbitration.

Through the International Monetary Fund, the United States, recognizing the relationship of trade and currency, is helping to provide an instrument for monetary stabilization and thus to reduce this hazard in the flow of goods across national boundaries. Through the International Bank, it is participating in, among other things, the promotion of "the long-range balanced growth of international trade" and the encouragement of foreign investment. The United States has consistently sought a multilateral approach to both the technical and the commercial aspects of civil aviation.

Since the United States is the world's richest market from the standpoint of both exports and potential imports it is particularly significant to world recovery that the United States has been willing to take the lead in reducing barriers to

the international flow of commerce. The strong United States sponsorship of institutions such as the Ito and our willingness to cooperate in the reduction of tariffs will facilitate the fruition of the European Recovery Program. The other countries participating in the program have declared that they "are prepared to play their full part" in reduction of tariffs in accordance with Ito principles, and some of these countries participated in the negotiations at Geneva in 1947; others have more recently agreed to enter into negotiations for this purpose.

Our participation in the drafting of the charter for an International Trade Organization; our treaties of friendship, commerce, and navigation; our trade agreements; our participation in the International Bank and the International Fund; and our part in the preparation of the European Recovery Program—all give clear evidence that we have laid a good ground work for more liberalized international commerce. We have broken away from the narrow economic isolationism which confined a large part of the world after World War I, and we have encouraged some of the other leading trading nations to establish more liberal commercial policies.

The United States Government finds it highly encouraging that so many other countries are showing their willingness to refrain from freezing certain restrictive and hampering trade practices into permanence and to join with this country in aiming at broader, more liberal, and more equitable policies in international commerce. This is of special importance as we move forward with the European Recovery Program. The principles enunciated in the charter of the Ito are complementary to the objectives of the program for European economic recovery. Though the emphasis in the recovery program is on the immediate crisis, the goal is to achieve, by 1951, a measure of equilibrium that will assure for the future a satisfactory degree of economic stability and an adequate basis for continuing economic development. The European Recovery Program recognizes that European industries must be rehabilitated and that Europe must become self-supporting. This does not mean that Europe must become self-sufficient in the Hitler sense. She has not been so in

the past and will not be so in the future. Climate and lack of adequate supplies of raw materials make it impossible for her to produce everything she needs. Even as Europe moves forward toward normalcy she must continue to have large imports and sustain herself by multilateral trade.

In the long run, the only way Europe can import is by exporting sufficient goods and services to pay for these imports. Trade must be a two-way street. In other words, it becomes axiomatic under the European Recovery Program that international trade must be facilitated, and instruments like the charter of the Ito will do just that. The reduction of tariff barriers and the expansion of non-discriminatory trade relations will assist Europe to find the means of balancing her accounts with us. The tariff reductions which have been made since the war should have increasing benefits. As productive capacity in other countries is restored, they will be in a position to expand exports to the United States of goods which they produce more efficiently. Balance-of-payments difficulties should disappear, and American exporters will obtain the full benefits of duty reductions obtained in trade agreements.

The people of the United States, acting through Congress, have yet to decide whether they wish this country to ratify the charter and join the Ito when it comes into existence. Although provision has been made for initiating the European Recovery Program, the current appropriation will be used up in a few months, and we must make the decision as to whether we will make available sufficient additional funds to implement the program fully and make possible the rehabilitation of Europe through this mechanism. The Trade Agreements Act expires next June and must be renewed if we are to continue our program for expanding international commerce through the reduction of trade barriers.

The United States does not dare now to drop its mantle of leadership in promoting and expanding world trade on a nondiscriminatory basis. If we turn back—or even falter—at this point the advances made thus far will be seriously jeopardized, if not completely lost. If in our lifetime we are to see a stable world, we must build on the firm foundation of international cooperation which we have helped to lay.

THE UNITED NATIONS AND SPECIALIZED AGENCIES

United Nations Day, October 24, 1948

Statement by Secretary Marshall

[Released to the press September 7]

It is our great hope that October 24 will become a day of significance in the history of civilization. On that date in 1945, the United Nations was brought into being as an international organization. The purposes defined in the Charter were agreed upon at a time when the thoughts of people throughout the world were concentrated on the hope for a lasting peace, for the elimination of war as a method of settling disputes. Sorrowful and tragic memories dominated the thinking of mankind. The casualties and overwhelming destruction of modern war were current events. As war memories dim, we find ourselves less mindful of the sober resolve which went into the making of this great organization. United Nations Day is to remind us that the maintenance of the peace and freedom we long for require persistent effort and constant vigilance on our part.

No government or people can rightfully claim to have entirely fulfilled the purposes and principles of the Charter. A common effort is required to save succeeding genera-

tions from the scourge of war, to redefine the fundamental human rights, to establish conditions under which justice and respect for obligations can be maintained. If we in America cannot show a final accomplishment, we can nevertheless demonstrate honest and persistent effort.

The use we make of United Nations Day is the important consideration. Perfunctory observance of the Charter will not suffice. The value of this occasion will best be realized through the effort of each individual to reaffirm his fidelity toward the United Nations and its purpose.

I have appointed the National Citizens Committee to promote the observance of the Day. I urge all persons and agencies of the people to make this a day of reaffirmation of belief in the United Nations. Specifically, a day to reread the Charter, refresh our memories as to its terms, and renew our determination to prevent the recurrence of the tragedy of war by adherence to its principles. The United Nations is our great hope for a world of peace.

Third Regular Session of the General Assembly

SUPPLEMENTARY LIST OF AGENDA ITEMS¹

Permanent invitation to the Director-General of the Organization of American States to assist the sessions of the General Assembly: item proposed by Argentina.

Permanent missions to the United Nations: item proposed by Bolivia.

Creation of a sub-commission of the Social Commission of the Economic and Social Council on study of the social problems of the aboriginal populations of the American Continent: item proposed by Bolivia.

4. Appointment to fill vacancy in the membership of the Committee on Contributions in replacement of Dr. Jan Papanek: item proposed by Czechoslovakia.

5. Appointment to fill vacancy in the membership of the Advisory Committee on Administrative and Budgetary Questions in replacement of Dr.

¹ U.N. doc. A/629, Sept. 1, 1948; see also BULLETIN of Aug. 8, 1948, p. 173, in which is printed the provisional agenda, U.N. doc. A/585 of July 23, 1948.

THE UNITED NATIONS AND SPECIALIZED AGENCIES

Jan Papanek: item proposed by Czechoslovakia.

6. Refugees and displaced persons.

- (a) Problem of refugees and displaced persons: item proposed by Poland.
- (b) Repatriation, resettlement and immigration of refugees and displaced persons: report of the Economic and Social Council.

7. Discriminations practised by certain States against immigrating labour, and in particular against labour recruited from the ranks of refugees: item proposed by Poland.

8. Discriminations practised by certain States in international trade obstructing normal development of trade relations and contrary to the Purposes and Principles of the United Nations Charter: item proposed by Poland.

9. Problem of wasting food in certain countries: item proposed by Poland.

10. Question of Franco Spain—implementation of the resolutions and recommendations of the General Assembly of 12 December 1946 (resolution 39 (I)) and of 17 November 1947 (resolution 114 (II)): item proposed by Poland.

11. Declaration of old age rights: item proposed by Argentina.

12. Transfer to the United Nations of functions and powers exercised by the League of Nations under the International Convention relating to economic statistics signed at Geneva on 14 December 1928: item proposed by the Economic and Social Council.

13. Draft international declaration of human rights: item proposed by the Economic and Social Council.

14. Advisory social welfare services: item proposed by the Economic and Social Council.

15. Draft Protocol to bring under control drugs outside the scope of the Convention of 13 July 1931 for limiting the manufacture and regulating the distribution of narcotic drugs, as amended by the Protocol signed at Lake Success on 11 December 1946: item proposed by the Economic and Social Council.

16. Transfer to the United Nations of the functions exercised by the French Government under the Agreement of 18 May 1904 and the Convention of 4 May 1910 for the suppression of the white slave traffic and under the Agreement of 4 May 1910 for the suppression of obscene publications: item proposed by the Economic and Social Council.

17. Report of the Executive Board of the International Children's Emergency Fund: item proposed by the Economic and Social Council.

18. Agreements with specialized agencies: item proposed by the Economic and Social Council.

- (a) International Refugee Organization.
- (b) Intergovernmental Maritime Consultative Organization.

19. Verbatim records.

- (a) Records of the Economic and Social Council: item proposed by the Economic and Social Council.
- (b) Records of the Trusteeship Council: item proposed by the Trusteeship Council.

20. Transfer to the United Nations of the real assets of the United Nations Relief and Rehabilitation Administration: item proposed by the Secretary-General.

U. S. DELEGATION

Following is the United States Delegation to the Third Session of the General Assembly of the United Nations opening at Paris, September 21, 1948:

Representatives

George C. Marshall, Secretary of State (When it is possible for him to attend, will serve as Senior United States Representative on the Delegation. In his absence, Ambassador Austin will serve as Senior United States Representative.)

Warren R. Austin, United States Representative to the United Nations and Representative in the Security Council, Ambassador

John Foster Dulles

Mrs. Franklin D. Roosevelt

Philip C. Jessup, Deputy United States Representative in the Security Council

Alternate Representatives

Benjamin V. Cohen

Ray Atherton

Willard L. Thorp, United States Representative in the Economic and Social Council, Assistant Secretary of State for Economic Affairs

Ernest A. Gross, The Legal Adviser, Department of State
Francis B. Sayre, United States Representative in the Trusteeship Council, Ambassador

Advisers

Harding F. Bancroft, Acting Chief, Division of United Nations Political Affairs, Department of State

Donald C. Blaisdell, Special Assistant to the Director, Office of United Nations Affairs, Department of State

Charles E. Bohlen, Counselor, Department of State

William I. Cargo, Acting Assistant Chief, Division of Dependent Area Affairs, Department of State

Frank P. Corrigan, Adviser, United States Mission to the United Nations

Lt. Gen. W. D. Crittenberger, United States Army, United States Representative on the Military Staff Committee, United States Mission to the United Nations

John K. Emmerson, Foreign Service Officer, Department of State

Dorothy Fosdick, Assistant to the Director, Office of European Affairs, Department of State

THE UNITED NATIONS AND SPECIALIZED AGENCIES

am A. Fowler, Foreign Service Officer, United States Mission to the United Nations
 ol. Harrison Gerhardt, United States Army
 umin Gerig, Deputy United States Representative in the Trusteeship Council, Chief, Division of Dependent Area Affairs, Department of State
 Phillip H. Greasley, United States Air Force
 am O. Hall, Director, Office of Budget and Planning, Department of State
 en. H. R. Harmon, United States Air Force, United States Representative on Military Staff Committee, United States Mission to the United Nations
 H. K. Hewitt, United States Navy, United States Representative on Military Staff Committee, United States Mission to the United Nations
 N. Howard, Division of Greek, Turkish, and Iranian Affairs, Department of State
 N. Hyde, United States Mission to the United Nations
 K. Hyde, Jr., United States Mission to the United Nations
 E. Jacobs, Foreign Service Officer, Department of State
 rd C. Johnson, Jr., Chief, Division of International Security Affairs, Department of State
 ay B. Knight, Foreign Service Officer, Department of State
 el K. C. Kopper, Special Assistant to the Director, Office of Near Eastern and African Affairs, Department of State
 t I. Kull, International Administration Staff, Office of United Nations Affairs, Department of State
 B. Lyon, Foreign Service Officer, Department of State
 rd P. Maffitt, Foreign Service Officer, United States Mission to the United Nations
 Maktos, Assistant Legal Adviser, Department of State
 Pierre Mallett, United States Army, United States Mission to the United Nations
 Maylott, Office of the Legal Adviser, Department of State
 rd C. Meeker, Office of the Legal Adviser, Department of State
 r. G. A. O'Connell, Jr., United States Navy, United States Mission to the United Nations
 rick H. Osborn, Deputy United States Representative on the Atomic Energy Commission and Commission for Conventional Armaments, United States Mission to the United Nations
 H. Popper, Assistant Chief, Division of United Nations Political Affairs, Department of State
 yden Raynor, Special Assistant to the Director, Office of European Affairs, Department of State
 Clinton Reed, Foreign Service Officer, Department of State
 E. Rogner, United States Air Force, United States Mission to the United Nations
 C. Ross, Deputy to the United States Representative to the United Nations, United States Mission to the United Nations
 Rusk, Director, Office of United Nations Affairs, Department of State
 ard V. Sandifer, Deputy Director, Office of United Nations Affairs, Department of State
 Harold P. Smith, United States Navy
 stein, Division of United Nations Political Affairs, Department of State
 D. Stinebower, Deputy United States Representative in the Economic and Social Council, Special Assistant to the Assistant Secretary of State for Economic Affairs, Department of State
 S. Villard, Foreign Service Officer, Department of State

S. Walter Washington, Foreign Service Officer, Department of State
 Francis O. Wilcox, Chief of Staff, Committee on Foreign Relations, United States Senate

Principal Executive Officer

Donald C. Blaisdell, Special Assistant to the Director, Office of United Nations Affairs, Department of State

Deputy Principal Executive Officer

David H. Popper, Assistant Chief, Division of United Nations Political Affairs, Department of State

Assistants to the Delegates

Brig. Gen. Marshall S. Carter, Special Assistant to the Secretary, Department of State
 William H. A. Mills, Special Assistant to the United States Representative to the United Nations, United States Mission to the United Nations
 Malvina Thompson, Assistant to Mrs. Roosevelt
 David M. Wainhouse, Associate Chief, Division of United Nations Political Affairs, Department of State, Assistant to Mr. Dulles

Assistants

Elizabeth Ann Brown, International Administration Staff, Office of United Nations Affairs, Department of State
 Betty C. Gough, International Administration Staff, Office of United Nations Affairs, Department of State
 Col. A. H. Luehman, United States Air Force, United States Mission to the United Nations

Secretary General

Richard S. Winslow, Secretary General, United States Mission to the United Nations

Deputy Secretary General

Thomas F. Power, Jr., Deputy Secretary General, United States Mission to the United Nations

Special Assistant

Lee B. Blanchard, Special Assistant to the Secretary General, United States Mission to the United Nations

Information Officer

Porter McKeever, Public Information Adviser, United States Mission to the United Nations

Assistants

Mallory Browne, Public Affairs Officer, United States Information Service
 Robert T. Pell, Public Affairs Officer, United States Information Service
 Gilbert Stewart, United States Mission to the United Nations

Public Liaison Officer

Chester S. Williams, Public Liaison Officer, United States Mission to the United Nations

Communications Officer

Woodford B. McCool, United States Mission to the United Nations

Administrative Officer

Louis F. Bohmrich, United States Mission to the United Nations

Current United Nations Documents: A Selected Bibliography ¹

General Assembly

- Official Records of the Second Part of the First Session of the General Assembly
- First Committee, Political and Security Questions including Regulation of Armaments. Summary Record of Meetings; 2 November–13 December 1946. xv. 228 pp. printed. \$3.50.
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¹ Printed materials may be secured in the United States from the International Documents Service, Columbia University Press, 2960 Broadway, New York City. Other materials (mimeographed or processed documents) may be consulted at certain designated libraries in the United States.

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INTERNATIONAL ORGANIZATIONS AND CONFERENCES

Conference To Consider Free Navigation of the Danube

REJECTION OF SOVIET DRAFT CONVENTION: POSITION OF U.S. GOVERNMENT¹

The Department of State announced on August 12 that Ambassador Cannon, Delegate of the United States to the Belgrade Conference on the Danube regime, voted against the Soviet draft convention. In his closing statement the United States Representative protested against Soviet manipulation of the six votes of its puppet States to impose a convention which attempts to legalize a monopoly of Danube shipping.

The record shows plainly that the Soviet Delegation went to this Conference unwilling to negotiate a mutually agreeable convention to implement a directive of the Council of Foreign Ministers. The persistent efforts of our Delegate and the other Western Delegates to engage in genuine negotiations have been rebuffed, sometimes with the most abusive language. Every amendment submitted by the Western Powers has been summarily brushed aside.

The meetings of the Conference have been characterized by consistent Soviet dictation. The unpopularity of subservience of the Danubian peoples to Soviet imperialism was never more clearly manifested than at this Conference. The statements and actions of the representatives of the Danubian States reflected their lack of freedom of choice on matters of vital concern to their peoples.

The actions of the Soviet Delegation have made evident the determination of the Soviet Union to perpetuate its economic and political enslavement of the Danubian peoples. Its refusal to accept proposals assuring genuine freedom of commerce and nondiscrimination shows that it intends to maintain vested interests which it has established for its own benefit through extortion from governments imposed by force against the will of the

peoples of its satellites. The Soviet Union has by its conduct at this Conference closed one of the principal doors for East-West trade. The lip service which the Soviet Delegation has paid to "freedom of navigation" is shadow. It has no substance.

Another regrettable result of the Belgrade Conference is that the Soviet attitude defeats and destroys the whole concept of international waterways which has been the public law of Europe for over 130 years. Moreover, it aims to deprive Britain, France, Belgium, Greece, Italy, and Germany of rights which they enjoy under treaties negotiated many years ago. We regard those treaties as being in force, according to international law, until they are terminated by agreement of all parties thereto. Furthermore, the Soviet bloc at Belgrade has disregarded the vital interests of Germany and Austria in the Danube. They are riparians whose interests in Danube navigation are patent. Finally, the Soviet Union, despite its own membership in the United Nations, has refused to allow any association between the Danube administration and the United Nations.

It is obvious that the United States cannot accept the draft convention which the Soviet Union is imposing upon its satellites. In the view of the United States, this instrument does not guarantee freedom and equality of trade. It does not fulfill the mandate of the Council of Foreign Ministers.

The United States will not, of course, recognize, either for itself or for those parts of Austria and Germany which are under its control, the authority of any commission set up in this manner to exercise any jurisdiction in those portions of Austria and Germany.

S. Delegations to International Meetings

Preparatory Commission

The Department of State announced on August 12 the composition of the United States Delegations to the Seventh Part of the First Session of the Preparatory Commission of the International Refugee Organization (IRO) scheduled to convene at Geneva on September 10, 1948, and to the First Session of the General Council of the IRO scheduled to convene at Geneva on September 13, 1948. The United States Delegations are as follows:

SEVENTH PART OF THE FIRST SESSION OF THE PREPARATORY COMMISSION OF IRO

United States Representative

George L. Warren, Adviser on Refugees and Displaced Persons, Office of the Assistant Secretary for Occupied Areas, Department of State

Advisers

Col. H. T. Brotherton, United States Forces, Austria, United States Army

¹ Released to the press on Aug. 18, 1948.

ACTIVITIES AND DEVELOPMENTS

Robert L. Fisher, Civil Affairs Division, Department of the Army
Alex E. Squadrilli, European Command, United States Army

Administrative Assistant

Eleanor A. Burnett, Administrative Assistant to the Adviser on Refugees and Displaced Persons, Office of the Assistant Secretary for Occupied Areas, Department of State

FIRST SESSION OF THE COUNCIL OF IRO

Permanent United States Representative

Lewis W. Douglas, American Ambassador to Great Britain

Permanent Alternate United States Representative

George L. Warren, Adviser on Refugees and Displaced Persons, Office of the Assistant Secretary for Occupied Areas, Department of State

Ambassador Douglas will be unable to attend the First Session of the Council and Goldthwaite H. Dorr, Adviser to the Secretary of State, will serve as alternate United States Representative at the Geneva meeting. The advisers and the administrative assistant on the United States Delegation to the Seventh Part of the First Session of the Preparatory Commission will also attend the Council Session.

The Seventh Part of the First Session of the Preparatory Commission will consider various reports of the executive secretariat, a report of the chairman of the eligibility review board, and a number of recommendations and arrangements concerned with the convening of the First Session of the General Council.

The First Session of the General Council is being called in accordance with a provision of the IRO constitution which states that 15 governments must ratify the constitution before the Organization can be established. Luxembourg deposited its instrument of ratification with the United Nations on August 5 and Denmark on August 20, 1948. The following 15 Governments have ratified the IRO constitution: Australia, Belgium, Canada, China, Denmark, Dominican Republic, France, Guatemala, Iceland, Luxembourg, Netherlands, New Zealand, Norway, United Kingdom, and the United States. In addition to the above countries, Venezuela and Argentina have the matter of ratification currently under consideration by their respective legislatures.

Conservation of Renewable Resources

The Department of State announced on September 4 the composition of the United States Delegation to the Inter-American Conference on the Conservation of Renewable Natural Resources scheduled to be held at Denver September 7-20, 1948. The United States Delegation is as follows:

Chairman

Charles F. Brannan, Secretary of Agriculture

Vice Chairman

Oscar L. Chapman, Under Secretary of the Interior

Delegates

H. H. Bennett, Chief, Soil Conservation Service, Department of Agriculture

Bernard De Voto, Historian; Contributing Editor, *Harpers*; Pulitzer Prize Winner, History

Newton B. Drury, Director, National Park Service, Department of the Interior

Clifford R. Hope, Chairman, Committee on Agriculture, United States House of Representatives

Dillon S. Myer, President, Institute of Inter-American Affairs

Lyle Watts, Chief, Forest Service, Department of Agriculture

Milton R. Young, Member, Committee on Agriculture Forestry, United States Senate

The Government of the United States, at request of the Pan American Union, will serve as host to the forthcoming Conference. This Conference, the first international meeting of its kind on conservation, is for the purpose of considering problems involved in the conservation of renewable natural resources in the Americas, and to discuss recent technical developments on this subject. It is being organized pursuant to a resolution adopted at the Third Inter-American Conference on Agriculture held at Caracas in July 1945.

Among the problems to be discussed will be those arising out of deforestation, soil erosion, overgrazing, wildlife destruction, floods, and failing water supplies. In view of the importance of these problems, which are yearly growing more serious throughout the Hemisphere because of inadequate conservation practices, mounting populations, and attempts to raise living standards, it is anticipated that leading Government officials, scientists, and other interested groups from the entire Hemisphere will attend.

The Conference will consist of a series of meetings to discuss conservation problems, together with field trips to study land-management practices. The Delegates will have an opportunity to view at first hand soil-conservation districts, forest and range experiment stations, the Rocky Mountain National Park, and other places of interest. Irrigation projects will be studied, along with their relationship to agriculture, grazing, and forestry practices on the land from which irrigation waters are derived.

The working sessions of the Conference will be divided into sections corresponding to the sections of the program. Outstanding leaders and professional men in the field of conservation will serve as discussion leaders for each of the six sections and supervise the preparatory work for their section.

Although the Conference will be a technical one with no power to negotiate agreements, it will consider national and international action for the conservation of renewable natural resources at their optimum use on a sustained-yield basis.

Department of State Bulletin

THE RECORD OF THE WEEK

Report on Alien Admittance Under U.N. and National Security

[Released to the press September 1]

Report of a report to the Secretary of State by the committee to study the question of whether persons have entered the United States in connection with the work of international organizations whose presence is inconsistent with the national security

August 31, 1948

MR. SECRETARY:

Under date of July 27 you addressed a letter to members of this committee requesting a study of the relevant facts relating to admission to this country of persons whose presence in connection with the work of the United Nations and international organizations was alleged to be inconsistent with the national security. You submitted two specific questions and invited recommendations or comment based on our findings and conclusions.

This committee met at the Department of State Friday, July 30, and heard from you an outline of considerations prompting the request. Testimony by three Department of State employees and the staff of the Subcommittee on Immigration and Naturalization of the Senate Judiciary Committee had been given extensive publicity. Newspaper accounts of allegations made in that testimony were contrary to the information in our possession. Such allegations constituted an indiscriminate reflection on United Nations personnel, tended to weaken confidence of the American people in the United Nations and raised doubt as to the effectiveness of measures designed to protect our national security. You requested an objective evaluation of the statements made in testimony.

Members of the committee were sworn as employees of the Department of State, with access to departmental records. Beginning July 30, your committee met each day through August 13, and at intervals thereafter, examining records and responding and questioning supervisory and subordinate personnel in Department of State and other governmental agencies concerned with the matter under study.

The results of our inquiry are presented herewith. We take some pleasure in reporting that our conclusions are unanimous. We further report that in evaluating the cases submitted to us unanimity was also reached; and each member of the committee evaluated each case independently of the two others.

September 12, 1948

Testimony by State Department Employees and Resulting Publicity

On July 15 the staff of the Subcommittee on Immigration and Naturalization of the Senate Judiciary Committee opened hearings under Senate Resolution 137, 80th Congress. That resolution authorizes the committee, or any duly authorized subcommittee thereof, to conduct an investigation of the immigration system, including the extent, if any, to which aliens have entered and remained in the United States in violation of the laws.

The first and subsequent hearings with which we are concerned were conducted by the subcommittee staff. The record does not show that members of the committee or other members of the Senate were present. The testimony under examination was given by three officials of the Department of State's Visa Division: Robert C. Alexander, assistant chief; William McGrath Harlow, chief of the Diplomatic Visa Section, Technical Branch; and R. Clyde Larkin, chief of the Public Safety and Security Section.

Mr. Alexander testified on July 15 and 16. Mr. Larkin testified on July 19. Mr. Harlow testified on July 20.

The first newspaper reports of the testimony were distributed by the United Press for afternoon papers of July 20. This dispatch was followed by publication on July 21 of news stories by other press associations and special correspondents, based on transcripts of the testimony.

The dispatches appeared throughout the country under such headlines as:

"SUBVERSIVE AGENTS BELIEVED IN U.S. UNDER WING OF U.N."

"OFFICIALS OF STATE DEPARTMENT SAY SEVERAL HUNDRED ARE HERE AND PROTECTED BY PACTS. LAKE SUCCESS DUBIOUS"

—N.Y. Times

"UNA CLOAK FOR RED SPIES, CONGRESS TOLD"

—Chicago Tribune

Dispatches contained statements such as these:

"The State Department has informed Congress that subversive agents in an alarming number have entered this country through the United Nations."

"The Government is powerless to do anything about it."

"These subversives include Moscow-trained terrorists, espionage agents, aliens who foment dis-

cord and others trained in undercover activities contrary to the peace and good order of this country."

"Officials of the State Department believe that several hundred subversive agents have used the United Nations as a cover for their activities in this country."

"... Mr. Alexander said some of the foreigners who came here under U.N. auspices have been trained as 'terrorists' and in undercover activities 'contrary to the peace and good order of this country'. He did not believe, however, the U.N. was responsible for bringing subversive agents here, but that the U.N. or its affiliates should assume responsibility for getting such persons out of this country when their employment terminates."

"William G. Harlow . . . testified . . . he believed that activities of these foreign agents had been confined to propaganda. He thought the problem would exist as long as the United States was the seat of the U.N."

"R. Clyde Larkin, chief of the State Department's Public Safety and Security Division (note: the correct term is 'Public Safety and Security Section of the Visa Division') told the committee . . . that some of the persons in question have been traveling throughout the country trying to collect intelligence data which will be of benefit to their own country, wherever they may be serving, as well as for the enlightenment of various groups in the U.N."

Your committee has been unable to find factual information to support any of the broad inferences which these statements invite.

Mr. Alexander's estimate that "There are several hundred, at least" of aliens who have been brought into the United States by the United Nations or other international organizations and whose presence is undesirable from the standpoint of the best interests of the United States, is not supported by the facts. The basis for his estimate is examined later in this report.

The statement that the United States Government lacks power to prevent entry of undesirable aliens, or to deport those who abuse the privileges accorded them as United Nations and international organization personnel, is not correct. A discussion of the pertinent laws and their interpretation will be found below.

Reference in news dispatches to "Moscow-trained terrorists" is based on contradictory and unsupported testimony. In one part of his testimony Mr. Alexander said:

"We had one person who was a newspaperman, and he was conferring with other persons here who were trained in terrorist activities in Moscow."

And later:

"I mentioned the case of the person who was trained in terrorist duties in Moscow who was representing a foreign newspaper here, and who was conferring with other persons in the city of communist propaganda and leaflets and pamphlets and so forth and so on."

Your committee has painstakingly examined files bearing on this case. They mention no incident in which a foreign newspaper correspondent, believed to be a Communist, was distributing pamphlets (contents not precisely described) at Lake Success. The same correspondent was reported to have conferred with a well-known American Communist. Mr. Alexander has been able to furnish your committee any information to support his reference to a "Moscow-trained terrorist" and the original files on the case contain no mention of such a person.

Newspaper reports that "These subversives include Moscow-trained terrorists, espionage agents, aliens who foment discord and others trained in undercover activities contrary to the peace and good order of this country" appeared in various forms. They evidently were based on Mr. Alexander's reply to requests by the Senate subcommittee examiner for elaboration of his estimate of the number of "subversives". The unrecorded testimony quotes Mr. Alexander as saying:

"The second group is those who are employed by the organization itself, the central secretariat. They consist of persons, who, in some instances, have been refused visas for this country, and who would not grant them visas under any circumstances to come here on their own."

When asked by the examiner why visas were refused, he replied:

"Because they were subversive agents of foreign powers."

And when asked to say what type of activities made them subversive, he responded:

"Espionage, and so forth, and aliens who foment discord, agitation, and other subversive activities contrary to the peace and good order of this country. They were brought in as employees of the central secretariat."

Mr. Alexander tells your committee that he knows of no spies, no terrorists or saboteurs, no aliens found fomenting discord who have been brought into this country for United Nations purposes.

He classes as potentially subversive, however, all aliens admitted to the United States from Communist or Communist-controlled countries—aliens, who, under the immigration laws—enacted previous to location of the United Nations here

ters in this country—normally would have been inadmissible as members of Communist organizations.

The committee has no comment on Mr. Harlow's testimony, other than to remark that Mr. Harlow told us he has complete confidence in Mr. Alexander and is willing to abide by whatever conclusions Mr. Alexander has voiced to the committee. He said he had no personal knowledge, however, of subversive activities by United Nations personnel.

The testimony of Mr. Larkin contained a statement, quoted in news dispatches, that there were

several instances of persons traveling through this country trying to collect intelligence data which will be of benefit to their own country, wherever they may be serving, as well as for enlightenment of the various groups in this country."

Mr. Larkin, under questioning by your committee, produced two reports from the files which he obtained fell within the category referred to in Senate Committee testimony.

Your committee does not feel that inferences drawn from his Senate Committee testimony supported by the facts cited in these two reports.

The Washington Post of July 21 contained this additional statement:

"One of the most serious problems," according to Robert C. Alexander . . . "is the fact that this country can't get rid of many of these people." If the country from which they came will take them back, as has happened, the United States is stuck with them. "The greatest offender in this respect was the old UNRRA organization," Alexander explained. Many undesirables came in under UNRRA are still here "and can't send them back," Alexander said."

While your committee confined its study to the international organizations and, therefore, excluded UNRRA (now in process of liquidation), it has received a statement from General Lowell Rooks, director general of UNRRA, emphatically denying the statements attributed to Mr. Alexander. In relation to non-United States personnel from "iron curtain" countries employed by UNRRA in this country, General Rooks says:

Of the 55 persons who fall into these national categories, 48 were already located in the United States at the time of their appointment with UNRRA. Some were employed with embassies as other representatives of their home countries, and a large proportion were in this country on regular Immigration visas; a few were in the employ of certain war agencies of the United States Government. Only 7 out of 55 were initially brought into the U.S.A. by UNRRA. Of

the 55, 16 were eventually repatriated to the country of their nationality, 6 were repatriated to other nationalities, 8 were known to have transferred to other international agencies in the United States or abroad, and 31, so far as I can determine, remained in the United States with the intention of becoming permanent residents. It should be emphasized that none of the 31 now have any connection with UNRRA, and all would necessarily be remaining under regular State Department-granted visas."

Mr. Alexander's Clarification of His Testimony Before the Senate Subcommittee

Mr. Alexander explained to your committee that he had expected to have the usual privilege of correcting and revising his Senate subcommittee staff testimony before its publication. The unrevised testimony, however, was made available to newspaper reporters before he had this opportunity.

After revising his testimony and after two weeks of opportunity to study the files, Mr. Alexander made this statement to your committee:

"In the light of all the facts in the cases I have recently examined, I am prepared to testify that the danger to our national security up to this time appears to be more potential than actual or immediate and if we can, whenever necessary, invoke Section 6 of the Joint Resolution or the Public Safety Act, to keep out aliens who, there is good reason to believe, will be subversively active in the United States, I believe the security of the United States would be as adequately protected as the circumstances will permit. Up to the present time I have found no case which has actually jeopardized or seriously endangered the security of the United States, except in so far as such security may be involved in Communist propaganda activities.

"I felt there was a problem involved here, a problem of security as well as one of the immigration laws, in which I am primarily interested. I see these cases from the viewpoint of the administration of the immigration laws and realizing that the immigration laws require passports and visas for security reasons as well as other reasons, I feel that the security provisions should not be overlooked.

"This statement tallies with my testimony before the Senate Committee in which I carefully avoided saying I had seen any such case. The Senate Committee asked me regarding cases concerning activity of aliens after arrival. I mentioned only one case and without naming the alien concerned in which the alien was conferring with a person in this country who had been trained in terrorist activities in Moscow, I drew no connection from that that the security of the Nation had been placed in jeopardy.

"I did feel during my testimony before the Sen-

THE RECORD OF THE WEEK

ate Staff Committee and I still feel that if the problem of these subversive classes coming into the country with permission to travel all over the country, realizing the difficulty of surveillance and of containing them within any specified area, is allowed to go on, that the security of the Nation might be jeopardized."

The "Problem" of Alien Admittance Under U.N. Auspices

The problem to which Mr. Alexander addressed a part of his testimony before the Senate subcommittee staff is one which was recognized when Congress invited the United Nations to locate its headquarters in this country. It was discussed in Congress before enactment of Public Law 357, (80th Congress), a joint resolution authorizing the President to make effective the agreement with the United Nations establishing its permanent headquarters in the United States.

The House Committee on Foreign Affairs, in reporting the legislation, took note that

"the United States cannot undertake to tell the other member nations who should or who should not represent them at the seat of the United Nations and cannot claim any right of veto over the Secretary General's appointment of personnel to the staff of the United Nations. In general, the United States, as host country, must permit access to the headquarters on the part of all persons who have legitimate business with the organization. This involves inevitably the admission of a number of aliens, some of whom would not normally be admissible under immigration laws of the United States. *The United States has foreclosed itself in undertaking voluntarily the obligations of the host Government.*" (Emphasis supplied)

The Committee further states that the Headquarters Agreement "makes it clear that persons who abuse these privileges either may be deported in accordance with the deportation laws of the United States or (subject to the approval of the Secretary of State) may be required to leave the United States in accordance with the customary procedure applicable to diplomatic envoys accredited to the United States."

The House amended section 6 of the joint resolution ratifying the headquarters agreement. This amendment expressly reserves the right of the United States "to safeguard its own security." In explanation of this amendment the committee's report said:

"An amendment added by the committee reserves the right of the United States to safeguard its own security along with the right to control entry of aliens into territory other than the headquarters area. This right of self-defense is given expression here as a premise underlying all American policy . . ."

A discussion of this and other statutes appears later in this report.

Analysis of Cases Submitted by Mr. Alexander

In his testimony before the Senate subcommittee staff Mr. Alexander estimated that "There are several hundred, at least" of aliens whose presence in this country in connection with United Nations or international organization affairs "is undesirable from the standpoint of the best interests of the United States." This estimate, he said, was based on "the cases which come to my attention."

The Office of Assistant Secretary of State for Administration, of which the Visa Division is a part, directed Mr. Alexander on July 24 to furnish the files of cases on which he based his testimony of July 15.

When your committee held its original hearing on July 30, Mr. Alexander had furnished a total of 44 cases from the files. Through August 18, nearly a month from the date of his testimony, he has been given every opportunity to present other cases from the files which would, in his opinion, bear out the statements made in testimony. He has submitted to your committee his testimony of 327 cases.

Your committee requested Mr. Alexander to classify his cases in three groups, namely—

Class 1, or cases which he deemed to show evidence of subversive activity after the alien's arrival in the United States, with a notation of when such activity occurred (a) before or (b) after affiliation with an international organization.

Class 2, or cases which he deemed to show evidence of subversive activity before the alien's arrival in the United States and before affiliation with an international organization or accreditation by the United Nations or an international organization.

Class 3, or cases which he deemed only to be of interest that the alien was a member of the Communist Party, or presumed to be such, but without evidence of Communist activity.

Mr. Alexander has submitted 15 Class 1 cases, divided as follows: (a) 8 cases which he claimed indicated subversive activity within the United States before affiliation with an international organization; (b) 7 cases which he claimed indicated subversive activity in the United States after such affiliation. He has submitted 49 Class 2 cases and 263 Class 3 cases.

Your committee was furnished 163 files in connection with the 263 alleged Class 3 cases. The remaining 100 consist of a listing of that number of names with no accompanying papers.

Your committee considers this listing of cases as capricious and without significance, unless Mr. Alexander's purpose is to list the known Communists or suspected Communists who have been admitted for U.N. or international organization purposes.

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the total might reasonably be estimated as 100. This latter figure is the number of visas issued during the past three fiscal years to persons from "iron curtain" countries for entry in connection with the United Nations and other international organizations. The number of persons at any one time from such countries would be considerably less than the whole number of visas issued during the period.

"Iron curtain" countries, of course, are members of these international organizations and entitled to send representatives and their families including personal staffs. Members of the foreign press from behind the "iron curtain", representatives of other non-governmental organizations and persons having business with these international organizations are expected to enter the United States for presentation of their views and for other legitimate purposes in the international affairs with which they are concerned.

Your committee feels that the Class 3 cases cited by Mr. Alexander beg the question of this inquiry. The risk in permitting these people to come to the United States is the calculated risk implicit in their presence within the United States of the United Nations Headquarters. In so far as this inquiry is concerned, your committee has not come into the possession of any facts to indicate that the risk is greater for great concern.

The risk in Class 2 cases is presumptive, stemming from the expectation that a person who is alleged to have engaged in "subversive" activities would engage in them in some form here. Examination of the files in these 49 cases shows that a large percentage of them belong in Class 3 cases that have no relevant bearing on the question of security. Your committee is astonished by the appearance to be a random selection of case rec- many of which have no discernible connection with the subject under examination.

Your committee has carefully studied the cases in Class 1 and as a result repeats Mr. Alexander's evaluation of the risk—"Up to the present I have found no case which has actually jeopardized or seriously endangered the security of the United States, except in so far as security might be involved in Communist propaganda activities."

Questions concerning propaganda activity and its relationship to the national security, Mr. Alexander made this statement to us:

"As I see it, propaganda activities have a less direct bearing upon security than would espionage, sabotage or some other such activity as that. I think that enough of the propagandists in the world try to create disunity and a state of mind that will eventually bring on a situation in which there would be some jeopardy to our national security but propaganda as such is not the direct jeopardy of our national security."

September 12, 1948

Your committee is not impressed by the reports of propaganda activities submitted by Mr. Alexander. The reported incidents on which he placed great stress involved two foreign correspondents, presumably Communists, one a zealous partisan, the other a garrulous woman. To label them as propagandists is to distort the legitimate meaning of the term.

We are informed that in the fiscal years 1946, 1947, and 1948, about 6,750 visas have been issued to alien delegations and personnel of international organizations.

Twenty international organizations have been designated by the President under the International Organizations Immunities Act. Seventeen of these, including the United Nations and its affiliates, are actively enjoying privileges of entry under this Act, and most of these also enjoy privileges under the United Nations Headquarters Site Agreement. The total number of aliens continuously employed in the United States in connection with these organizations is approximately 5,000, of whom some 350-400 are nationals of "iron curtain" countries. Approximately half of these numbers are wives and children.

In no case has the State Department found it necessary to withhold a visa by applying Section 6 of Public Law 357.

In three cases of accreditation of foreign newspaper correspondents the Secretariat of the United Nations was informed by the Department of State that it might be necessary for the United States to institute deportation proceedings pursuant to Section 13 (b) of the headquarters agreement, or to restrict the application for accreditation to the headquarters district and its immediate vicinity. In no case, however, has deportation been found necessary.

In only two cases was the objection to visas within the Department strong enough to warrant appeal to the Under Secretary of State, who authorized the visas. We have reviewed the files in these two cases and we agree that the Under Secretary's decision was correct.

Legislative Provisions for the Admission of Individuals in Connection With United Nations Activities

By its Charter, the United Nations Organization enjoys such privileges and immunities as are necessary for the fulfillment of its purposes. Representatives of members and officials of the Organization enjoy such privileges and immunities as are necessary for the independent exercise of their functions.

These provisions imply a measure of freedom of movement for individuals traveling in connection with the activities of the United Nations. With respect to the admission of such individuals to the United States, specific authorization is contained in two Congressional enactments. The In-

ternational Organizations Immunities Act (P.L. 291, 79th Congress) provides that member representatives to designated international organizations, and officers and employees of these organizations, shall, with respect to the laws regulating entry into the United States, be treated like officers and employees of foreign governments. By Joint Resolution, the President was authorized to bring into effect the Headquarters Agreement with the United Nations (P.L. 357, 80th Congress). Section 11 of that Agreement provides that the United States shall not impose impediments to the transit to and from the headquarters district of individuals in five categories, including member representatives and officials of the United Nations, experts performing missions for the United Nations, accredited representatives of the press or other information agencies, representatives of organizations invited for consultation by the Economic and Social Council of the United Nations, and other individuals invited by the United Nations on official business. The Agreement also confers on the principal resident representative of each member, and on certain of his staff, the privileges of a diplomatic envoy including the privilege of admission into the country and free movement therein.

Legislative Provisions To Safeguard United States Security

These statutes also provide for the steps necessary to safeguard the security of the country. The right of an individual to remain in the United States may, under Section 8(b) of the International Organizations Immunities Act, be terminated by the Secretary of State, if he finds that the alien's presence in the United States is not desirable. Section 6 of the Joint Resolution approving the Headquarters Agreement provides that nothing in the Agreement in any way diminishes the right of the United States to safeguard its own security. The Section 6 Reservation could be invoked by applying the Public Safety Act (22 U.S.C. 228, 55 Stat. 252), which provides that the consulates should refuse a visa to any alien who seeks to enter the United States for the purpose of engaging in activities which will endanger the public safety of the country. And, except for members of national delegations who enjoy diplomatic privileges and are thereby subject to recall as *personae non gratae*, the great majority of individuals admitted under the Headquarters Agreement are subject to prosecution under our criminal laws with respect to any acts outside their official duties.

Press representatives, representatives of non-governmental organizations, and other official visitors are not excluded from the provisions of the Foreign Agents Registration Act. The laws and regulations applicable to all alien visitors to the United States may be made applicable equally to them. And as to any violation of law or regula-

tion which may properly be deemed an abuse of an individual's privilege of residence, the United States may, as is specifically noted in the Headquarters Agreement, either deport the individual or limit his movements to the United Nations headquarters district and its immediate vicinity. In the case of the minority who enjoy immunity under the Headquarters Agreement, the United States may ask his government to waive the individual's immunities, or declare the individual *persona non grata* and request his recall in accordance with customary diplomatic procedures.

How the Safeguards Operate

Every person coming to the United States must have a visa issued by an American consulate before issuing a visa to any individual who comes to the United States in connection with United Nations activities, the consulate must have reasonable evidence that the individual is within one of the classes whose admission is authorized by the Headquarters Agreement. The consulate will investigate all available sources to determine whether that person is coming to engage in activities dangerous to the public safety of this country. If the consulate so determines, it would deny the visa and the United States would indicate to the United Nations that the exclusion of this individual is necessary to safeguard national security as contemplated by the resolution in the Joint Resolution approving the Headquarters Agreement.

The United Nations is required to consult the United States before representatives of the press or other information agencies are accredited. The United States may object to the accreditation and refuse admission because there is no reasonable evidence that a person is coming to engage in the activities of a bona fide press representative. It may also object to his accreditation, and refuse admission if he is coming to engage in activities dangerous to the public safety of the country.

Where the security of the United States does require the total exclusion of an accredited representative, a representative of a non-governmental organization, or an invited official of the United States could issue a visa limiting the movement of such individuals to the United Nations headquarters district and its immediate vicinity. In fact, a person in these categories would not be admissible under the immigration laws, except for the Headquarters Agreement, which will always be limited to the immediate vicinity of the headquarters district unless the Attorney General of the United States in his discretion waives the limitation. Any person so limited who later violates his restriction may, after consultation with the Secretary-General of the United Nations, be deported from the United States.

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United Nations Charter requires employees of the Secretariat to refrain from any action which might reflect on their position as international civil servants. Any subversive activity by such an individual would be a violation of his duties under the Charter.

When a person's relation to the United Nations is terminated, the Organization brings that fact to the attention of United States authorities. If the individual is no longer entitled to remain in the United States he will be required to leave, and if he should refuse or neglect to do so, he could be deported like any other visitor to the United States whose right to stay in the country is at issue.

Interpretation of the Law

In the case of any other two sets of statutes, the existence of Section 11 of the Headquarters Agreement, which promotes the successful functioning of the United Nations, alongside the reservation in favor of safeguarding our national security provided for by Section 6 of the Joint Resolution authorizing the Agreement, may well cause conflict in practice. In making the Agreement to locate the Headquarters in this country the United States freely undertook to require relaxation of the immigration laws. It did so, of course, with the understanding that other members of the United Nations would act with restraint in availing themselves of the privileges accorded.

In administering the immigration laws, there is no reason, therefore, to resolve doubts in favor of admitting aliens when they are properly accredited pursuant to Section 11 of the Agreement. Section 6 of the Resolution, which provides for safeguarding the security of the country, ought to be applied to exclude a United Nations alien when there is a weighty showing of evidence. The Committee is of the opinion that continuing experience with the facts of the particular case will provide both the United Nations and the United States with sufficient criteria to determine a *modus vivendi* under the Agreement and the Joint Resolution, and that no legislative modifications appear to be necessary or desirable at this time.

The Committee believes also that it would be good practice for the Visa Division to submit the particular facts of these cases as they arise to the Legal Adviser of the Department of State so that such criteria may be more precisely formulated by the United States. This practice has not, in the opinion of the Committee, been sufficiently followed in the

Answers to Specific Questions

In your letter requesting this inquiry, you submit two specific questions and solicit our report:

November 12, 1948

(1) Do existing international agreements, in particular the United Nations Headquarters Agreement, and Public Law 357, 80th Congress, approving the Agreement with certain reservations, embody undertakings on the part of the United States Government which prevent the exclusion from this country of persons whose presence is inconsistent with our national security?

Your Committee believes that there is adequate statutory authority to exclude from the United States persons whose presence here is inconsistent with our national security and that no undertaking on the part of the United States Government nullifies such authority.

(2) Are existing administrative practices and procedures, and the legislation on which they are based, adequate to assure the exclusion from this country of persons whose admission is requested in connection with the work of international organizations but whose presence would be inconsistent with our national security? In this connection, an appraisal is desired whether (a) persons in this category have been admitted, and (b) adequate procedures exist for assuring future exclusion or deportation of such persons.

Your committee believes that existing administrative procedures, and the legislation on which they are based, are sufficient. The committee is not satisfied that practices under the outline of procedures are satisfactorily coordinated. This subject will be discussed in a subsequent memorandum to you, embodying certain suggestions which have occurred to your Committee in the course of its inquiries.

2(a) Your committee feels there are two parts to this question. First, has a visa been issued abroad to any international organization alien whose admission to this country would be inconsistent with our national security? Second, has any international organization alien been admitted whose conduct, after arrival, was inconsistent with our national security?

Our answer to the first part of the question is a repetition of previous statements in this report. We have seen no case in which we feel, from an examination of the available evidence, that the refusal of a visa would have been justified under Section 6 of the joint resolution ratifying the Headquarters Site Agreement.

The answer to the second part of this question is based upon information which originated from sources other than the Visa Division.

Your committee has some doubt as to whether the activities of several individuals, after arrival, were consistent with our national security. The decision reached by the responsible officials in these few cases seem to us, based upon the information at hand, to have been correct in each instance.

It is clear that public discussion of the facts of these cases would not be in the public interest.

2(b) Adequate procedures exist to assure future

exclusion or deportation of aliens whose presence would be inconsistent with our national security.

Conclusions and Comments

The last paragraph of your letter has invited our recommendations or comments.

At the end of four weeks of conference and examination of documentary material, we conclude there is no basis for the charges contained in the testimony outlined above.

Your committee is shocked by the manner in which these serious charges were made.

Subordinate officials of a non-policymaking division of the Department of State testified at a public hearing on a matter of high policy before a Senate subcommittee presided over and directed by staff employees with no Senator present. So far as we are aware, this practice is without precedent. The testimony produced serious repercussions on the foreign policy of the United States and that testimony was irresponsible in its lack of factual support.

So far as we can determine, the subordinate officials who testified, even if they were disturbed over the seriousness, as they saw it, of a developing situation, had never made any persistent effort to bring it to the attention of the responsible policy-making officials of the Department of State. In any field of governmental activity such failure reflects poor public administration. More particularly is this true in the delicate field of foreign relations.

We are convinced the people of the United States firmly believe in the principles of the United Nations. There is a recognized degree of potential danger to our national security in the admission of aliens to this country who are antagonistic to our form of government and vigorous promoters of their own. But it is equally true that one of the great hopes for that security is a strong United Nations. If today's reality is still far from the ideal outlined in the Charter at San Francisco, our obligation as a nation, nevertheless, is to labor for that ideal, regardless of the attitudes or the conduct of other nations. That is the perspective in which we should measure the dangers to our national security from the presence in this country of the relatively few aliens whose political affiliations are believed would have barred them from entry in the past but whose presence now is vital to the work of the United Nations and other international organizations.

Respectfully yours,

B. M. McKELWAY

JAMES H. ROWE, JR.

MARCELLUS C. SHEILD¹

THE DEPARTMENT

President's Budget on International Affairs and Finance²

Expenditures for international aid program are now estimated at 7.0 billion dollars, the same as in January. Actual expenditures in 1948 were 4 billion dollars.

More than half of all international expenditures in the fiscal year 1949 will be required for aid to Europe under the Economic Cooperation Act. In January, expenditures for this program were estimated at 4 billion dollars for 1949; they are now estimated at 3.8 billion dollars. This downward revision results largely from the Congressional reduction of the initial appropriation by 245 million dollars.

Expenditures for Greek-Turkish aid in 1949 are now projected at 385 million dollars, 181 million dollars above the January budget, largely due to shipments and payments delayed from the fiscal year 1948.

Estimated expenditures for aid to China in 1949 have been revised upward, from 240 million dollars to 359 million dollars, to reflect the increase in the program enacted since last January.

Expenditures under the Army's program for relief and reconstruction in the occupied areas are now expected to total 1,280 million dollars, a reduction of 70 million dollars since January. The decline is mainly in the reconstruction portion of the program.

Although the Congress reduced the recommended authorization for the European-aid program by 1.5 billion dollars, it provided that recommendation by the Economic Cooperation Administrator and with my approval, the funds appropriated could be fully obligated by April, 1949. To permit this program to go forward without interruption during the last quarter of the fiscal year, additional authority and appropriations will probably be necessary. I am therefore including in this review a tentative estimate of 1 billion dollars for a supplemental appropriation. Its enactment will not have a significant effect on expenditures until the fiscal year 1950.

¹ Mr. McKelway is editor of the *Washington Star*; Mr. Rowe is an attorney and member of the Commission on Organization of the Executive Branch of the Government; Mr. Sheild was clerk of the House Appropriations Committee, 1916-44.

² Excerpts from *Statement by the President Review of the 1949 Budget*, which was released to the press by the White House on Aug. 15, 1948.

PUBLICATIONS

Department of State

Available by the Superintendent of Documents, Government Printing Office, Washington 25, D. C. Address requests to the Superintendent of Documents, except in the case of free publications, which may be obtained from the Department of State.

Military and Civil Affairs: Rights and Privileges of United States Forces in Italy, Transfer of Responsibility from Allied Military Government to the Italian Government. Treaties and Other International Acts Series 1694. Pub. 3074. 19 pp. 10¢.

Agreement Between the United States and Italy—Effectuated by exchange of notes signed at Rome Sept. 3, 1947; entered into force Sept. 3, 1947.

Postal Aid Settlement. Treaties and Other International Acts Series 1716. Pub. 3100. 13 pp. 5¢.

Agreement and Accompanying Exchanges of Notes Between the United States and Norway—Signed at Washington Feb. 24, 1948; entered into force Feb. 24, 1948.

Port Visa Fees. Treaties and Other International Acts Series 1721. Pub. 3115. 8 pp. 5¢.

Agreement Between the United States and France Replacing Agreement of Dec. 10, 1946—Effectuated by exchange of notes dated at Washington Aug. 19 and Sept. 4, 5 and 16, 1947; entered into force Sept. 16, 1947, effective Oct. 1, 1947.

Shipping: Provisional Maritime Consultative Council. Treaties and Other International Acts Series 1724. Pub. 3116. 5 pp. 10¢.

Agreement and Accompanying Notes Between the United States and Other Governments—Dated at Washington Oct. 30, 1946; open for acceptance at London; entered into force Apr. 23, 1947.

Industrial Property: Restoration of Certain Rights Affected by World War II. Treaties and Other International Acts Series 1725. Pub. 3133. 3 pp. 5¢.

Supplementary Agreement Between the United States and France—Signed at Washington Oct. 28, 1947; entered into force Feb. 27, 1948.

Aviation Mission to Bolivia. Treaties and Other International Acts Series 1739. Pub. 3165. 9 pp. 5¢.

Agreement Between the United States and Bolivia—Effectuated by exchange of notes signed at La Paz Aug. 26 and Nov. 3, 1947; entered into force Nov. 3, 1947.

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United States Educational Foundation in the Philippines. Treaties and Other International Acts Series 1745. Pub. 3185. 3 pp. 5¢.

Agreement Between the United States and the Republic of the Philippines Amending the Agreement of Mar. 23, 1948—Effectuated by exchange of notes signed at Manila Apr. 2 and 8, 1948; entered into force Apr. 8, 1948.

Diplomatic List, August 1948. Pub. 3242. 193 pp. 30¢ a copy; \$3.25 a year domestic, \$4.50 a year foreign.

Monthly list of foreign diplomatic representatives in Washington, with their addresses.

American Dead in World War II. Treaties and Other International Acts Series 1748. Pub. 3190. 5 pp. 5¢.

Agreement Between the United States and Hungary—Effectuated by exchange of notes dated at Budapest June 18, July 15, and August 9, 1946; entered into force August 9, 1946.

Use by Civil Aircraft of Certain Military Air Bases in the Caribbean Area and Bermuda. Treaties and Other International Acts Series 1717. Pub. 3104. 19 pp. 10¢.

Agreement And Accompanying Notes Between the United States and the United Kingdom of Great Britain and Northern Ireland—Signed at Washington Feb. 24, 1948; entered into force Feb. 24, 1948.

Register of the Department of State, April 1, 1948. Pub. 3202. 507 pp. \$1.50.

Organization of the Department and the Foreign Service and biographies of Department and Foreign Service personnel.

The United Nations in Action—The Test of Experience. Foreign Affairs Outline no. 17. International Organization and Conference Series III, 10. Pub. 3238. 8 pp. Free.

The three-year record of the growth of the United Nations as a world institution.

Peace Takes Practice. Pub. 3240. Free.

Wall poster observing United Nations Day—October 24.

Guide to the United States and the United Nations. Revised to July 1948. International Organization and Conference Series III, 11. Pub. 3241. 8 pp. 5¢.

Chronology of the United States and the United Nations. Bibliography.

The United Nations—Three Years of Achievement. International Organization and Conference Series III, 12. Pub. 3255. 20 pp. Free.

Political security, economic, and social accomplishments of the United Nations.

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THE EIGHTIETH CONGRESS, SECOND SESSION, AND THE UNITED NATIONS

by Sheldon Z. Kaplan

Kaplan discussed the action by the 80th Congress, 2d session, in enacting legislation touching the United Nations and related activities, in the issue of September 12, 1948. In this issue the author concludes his analysis of the activities of the 80th Congress and presents in an appendix selected related documents.

IV. THE VANDENBERG RESOLUTION

psychological significance, as indicating the sentiment of the United States Senate toward the United Nations, was the passage by the Senate on July 1, 1948 (64 yeas to 4 nays), of Senate Resolution 239, the so-called "Vandenberg resolution." "This resolution," in the words of Senator Vandenberg,⁸⁴ "is a sound answer to several critical questions in respect of foreign policy which America confronts. It is the unanimous answer of the Foreign Relations Committee.⁸⁵ It is an answer which, after many weeks of earnest consideration, has the whole-hearted approval of the Department. It is an answer which offers hope for security and peace for us and others, within the United Nations". Senator Vandenberg went on to analyze fully the necessities which the resolution is undertaking to answer, which may be summarized as:

the necessity for a common denominator that would present the varying views of the Senate on the objectives which the United States should pursue in strengthening the United Nations, an action admittedly indispensable to collective security; the necessity for practical encouragement of the United States in the United Nations; the necessity for renewing United States dedication to peace at a time when the first peacetime election in the history of the United States has just passed; and the necessity for individual and collective self-defense within the United Nations Charter and the veto, against armed aggression, for the

assertion of United States interest in regional arrangements and the implementation of our underlying obligations under the Charter.

The purpose of the resolution is, in brief, to state the sense of the United States Senate concerning the desirable and feasible objectives which the United States should pursue by constitutional process in behalf of international peace and security, the pacific settlement of disputes, and the exercise of individual and collective self-defense against armed aggression, all within the framework of the United Nations Charter.⁸⁶

V. UNCOMPLETED MEASURES ⁸⁷

Several legislative proposals affecting United States participation in the United Nations did not receive final congressional approval. Of first importance are these:

1. S. J. Res. 221 (and its companion measure, H. J. Res. 391), 80th Cong., 2d sess., "To provide a civil government for the Trust Territory of the Pacific Islands". These resolutions would implement⁸⁸ the trusteeship agreement between the United States and the United Nations Security Council which the President was authorized by Congress to approve on behalf of the United States.⁸⁹

2. S. 1643, 80th Cong., 1st sess., "To prohibit and punish the unauthorized use of the official seal, emblem, and name of the United Nations, and for other purposes",⁹⁰ introduced by Senator Vandenberg on July 16, 1947, and referred to the Senate Committee on Foreign Relations. This measure would serve to implement a resolution adopted unanimously by the United Nations General Assembly on December 7, 1946.⁹¹

3. S. J. Res. 136, authorizing the President to accept on behalf of the United States the convention on privileges and immunities of the United Nations. The measure passed the Senate July 17, 1947, and was referred to the House Committee on Foreign Affairs July 18, 1947. There it was

placed, during the Second Session, in the one-package bill, H. R. 6802, in connection with the loan agreement. The United Nations General Assembly by a resolution adopted February 13, 1946, had approved the convention and proposed it for accession by each member of the United Nations.⁹² The convention is designed to define the rights of the United Nations and related personnel in the territory of *all* Member states as distinct from the headquarters agreement between the United Nations and the United States (Public Law 357, 80th Cong., 1st sess., text of which will be found in the appendix) which is concerned with particular problems arising out of the location of the headquarters in this country. Section 26 of the headquarters agreement provides that in case of absolute conflict between the provisions of the headquarters agreement and those of the convention, the provisions of the agreement shall prevail.

4. Executive GG, protocol relating to an amendment to the convention on international civil aviation, transmitted July 11, 1947, by the President to the Senate for its advice and consent to ratification. The protocol deals with the relationship between the United Nations and the International Civil Aviation Organization (ICAO) and establishes the bases upon which members of ICAO shall be debarred from, and may be readmitted to, membership therein (Franco Spain particularly intended).⁹³

5. S. 2518, revision of the United Nations Participation Act of 1945, Public Law 264, 79th Cong., 1st sess., introduced in the Senate April 20, 1948, passed the Senate April 26, 1948. The House version, contained in its one-package bill, incorporated substantially the provisions of S. 2518.

6. S. 2474, authorizing the furnishing of services and the temporary detail of United States Government employees to public international organizations. The United States has received numerous requests for detail of personnel possessing special professional or technical skill to international organizations in which it participates, particularly the United Nations and its specialized agencies. The bill would permit the Secretary of State to comply with these requests on a reimbursable basis, provided the Government agency and United States employee involved consent. The bill was introduced in the Senate on April 8,

1948, by Senator Vandenberg and referred to the Senate Committee on Foreign Relations. On the House side, provision for this legislation was contained in the one-package bill, H. R. 6802.

In addition, a number of ILO conventions and the convention on the Intergovernmental Maritime Consultative Organization were submitted to the Senate, the latter on June 18, 1948.

VI. CONCLUSION

An analysis of the record and debate of the Eightieth Congress on legislative proposals to strengthen United States participation in the United Nations and its allied activities shows the following significant trends in the thinking and action of the Congress:

1. The requirement, particularly on the part of the House Foreign Affairs Committee, of "costs and figures". As the House Foreign Affairs Committee stated, "It is not enough that aspirations are worthy; it is also necessary that the costs be practicable".⁹⁶ During the Eightieth Congress this committee in its hearings seldom failed to ask in essence, "How much will this cost the American people?" or "How much do we contribute to this organization?" or "Just how does our participation in this organization affect the American people?"

2. The increasing awareness by the members of the House Foreign Affairs Committee of the role of the House of Representatives in shaping foreign affairs, as expressed in the statement "the responsibility for the purse as it relates to foreign policy cannot be separated from the root and substance of foreign policy" and that "The national and world commitments and the world aspirations undertaken by this Nation cannot be considered in a compartment separate from the concrete necessities to fulfill those commitments and to realize those aspirations."⁹⁷

3. A desire to strengthen the United Nations and to increase its effectiveness in fulfilling its responsibilities.⁹⁸

4. The increasing national security consciousness, in view of world conditions, and, based on, the attempt to balance the *national* interest against the *international* interest.

5. A growing awareness of the necessity for United States leadership in foreign affairs.

FOOTNOTES

Cong. Rec., June 11, 1948, p. 8026.
 id., p. 7971. See pp. 7970-87 and 7988-8026 for full
 prior to passage of the resolution.
 Rept. 1361, 80th Cong., 2d sess. The resolution had
 referred to the Senate Committee on Foreign Re-
 on May 19, 1948.
 id., p. 1. Text of resolution will be found in appen-
 this article. See *Cong. Rec.*, May 27, 1948,
 527-28. S. Res. 239 is also concerned with re-
 the veto in questions involving the pacific settle-
 of disputes and situations, and the admission of new
 Members.
 See note 4, BULLETIN of Sept. 12, 1948, p. 321.
 12 of the agreement provides that "The admin-
 g authority shall enact such legislation as may be
 ary to place the provisions of this agreement in
 in the trust territory". This constitutes an inter-
 commitment upon the part of the United States
 ment by legislation the provisions of the trustee-
 agreement. See S. Rept. 471, 80th Cong., 1st sess.,
 0
 blic Law 204, 80th Cong., 1st sess., text of which
 e found in appendix. For discussion thereon, see
 n Z. Kaplan, *Eightieth Congress, First Session, and*
United Nations (Department of State publication
 pp. 16-18.
 e House companion measure, H.R. 4186, intro-

duced by Rep. Javits, passed the House on July 25, 1947.
 Author's discussion of this measure will be found in
 Kaplan, *op. cit.*, p. 7.

²¹ *Ibid.*, note 32. As of this writing, 16 members of the
 U.N. have notified the Secretary-General of the U.N. that
 they have taken the necessary implementing action or that
 existing laws provide sufficient protection; 13 Members
 have indicated they were taking action; 4 have stated
 that the matter was being referred to their governments
 for attention. See *Annual Report of the Secretary-Gen-
 eral on the Work of the Organization, 1 July 1947-30 June*
1948, U.N. doc. A/565, 1948, p. 113.

²² U.N. doc. A/64/Add.1, Jan. 31, 1947, pp. 186-87. See
 also H. Rept. 2291, 80th Cong., 2d sess., pp. 13-21.

²³ See note 63, BULLETIN of Sept. 12, 1948, p. 323.

²⁴ See H. Rept. 2291, 80th Cong., 2d sess., pp. 12-13.

²⁵ The ILO final articles revision convention, 1946 (no.
 80), was submitted June 24, 1947, by the President to the
 Senate for its advice and consent to ratification. Ratifi-
 cation was advised on April 14, 1948, and the President
 ratified this convention May 21, 1948. Text in Exec. EE,
 80th Cong., 1st sess. (1947), pp. 4-7.

²⁶ H. Rept. 2291, 80th Cong., 2d sess., p. 3.

²⁷ *Ibid.*

²⁸ See, in general, *Hearings Before House Committee on*
Foreign Affairs on Structure of the United Nations and
the Relations of the United States to the United Nations,
 80th Cong., 2d sess.

APPENDIX: SELECTED TEXTS

I. Responsibilities of the Host

Concurrent Resolution 75, 79th Congress, 1st Session¹

Enacted by the House of Representatives (the Senate
concurring), That the United Nations be, and hereby are,
located to locate the seat of the United Nations Organiza-
tion within the United States of America.
 December 11, 1945.

Law 291, 79th Congress, 1st Session

To extend certain privileges, exemptions, and immunities
 international organizations and to the officers and em-
 ployees thereof, and for other purposes.

Enacted by the Senate and House of Representa-
tives of the United States of America in Congress
assembled,

TITLE I

Sec. 1. For the purposes of this title, the term
 "international organization" means a public international
 organization in which the United States participates pur-
 suant to any treaty or under the authority of any Act of
 Congress authorizing such participation or making an
 appropriation for such participation, and which shall have
 been designated by the President through appropriate

Executive order as being entitled to enjoy the privileges,
 exemptions, and immunities herein provided. The Presi-
 dent shall be authorized, in the light of the functions per-
 formed by any such international organization, by appro-
 priate Executive order to withhold or withdraw from any
 such organization or its officers or employees any of the
 privileges, exemptions, and immunities provided for in
 this title (including the amendments made by this title)
 or to condition or limit the enjoyment by any such organ-
 ization or its officers or employees of any such privilege,
 exemption, or immunity. The President shall be author-
 ized, if in his judgment such action should be justified by
 reason of the abuse by an international organization or its
 officers and employees of the privileges, exemptions, and
 immunities herein provided or for any other reason, at
 any time to revoke the designation of any international
 organization under this section, whereupon the interna-
 tional organization in question shall cease to be classed
 as an international organization for the purposes of this
 title.

Sec. 2. International organizations shall enjoy the
 status, immunities, exemptions, and privileges set forth
 in this section, as follows:

¹ 59 Stat. 848.

(a) International organizations shall, to the extent consistent with the instrument creating them, possess the capacity—

- (i) to contract;
- (ii) to acquire and dispose of real and personal property;
- (iii) to institute legal proceedings.

(b) International organizations, their property and their assets, wherever located, and by whomsoever held, shall enjoy the same immunity from suit and every form of judicial process as is enjoyed by foreign governments, except to the extent that such organizations may expressly waive their immunity for the purpose of any proceedings or by the terms of any contract.

(c) Property and assets of international organizations, wherever located and by whomsoever held, shall be immune from search, unless such immunity be expressly waived, and from confiscation. The archives of international organizations shall be inviolable.

(d) Insofar as concerns customs duties and internal-revenue taxes imposed upon or by reason of importation, and the procedures in connection therewith; the registration of foreign agents; and the treatment of official communications, the privileges, exemptions, and immunities to which international organizations shall be entitled shall be those accorded under similar circumstances to foreign governments.

SEC. 3. Pursuant to regulations prescribed by the Commissioner of Customs with the approval of the Secretary of the Treasury, the baggage and effects of alien officers and employees of international organizations, or of aliens designated by foreign governments to serve as their representatives in or to such organizations, or of the families, suites, and servants of such officers, employees, or representatives shall be admitted (when imported in connection with the arrival of the owner) free of customs duties and free of internal-revenue taxes imposed upon or by reason of importation.

SEC. 4. The Internal Revenue Code is hereby amended as follows:

(a) Effective with respect to taxable years beginning after December 31, 1943, section 116 (c), relating to the exclusion from gross income of income of foreign governments, is amended to read as follows:

“(c) INCOME OF FOREIGN GOVERNMENTS AND OF INTERNATIONAL ORGANIZATIONS.—The income of foreign governments or international organizations received from investments in the United States in stocks, bonds, or other domestic securities, owned by such foreign governments or by international organizations, or from interest on deposits in banks in the United States of moneys belonging to such foreign governments or international organizations, or from any other source within the United States.”

(b) Effective with respect to taxable years beginning after December 31, 1943, section 116 (h) (1), relating to the exclusion from gross income of amounts paid employees of foreign governments, is amended to read as follows:

“(1) RULE FOR EXCLUSION.—Wages, fees, or salaries of any employee of a foreign government or of an international organization or of the Commonwealth of the Philippines (including a consular or other officer, or a diplomatic representative), received as compensation for services to such government, international organization or such Commonwealth—

“(A) If such employee is not a citizen of the United States, or is a citizen of the Commonwealth of the Philippines (whether or not a citizen of the United States); and

“(B) If, in the case of an employee of a foreign government or of the Commonwealth of the Philippines, the services are of a character similar to those performed by employees of the Government of the United States in foreign countries or in the Commonwealth of the Philippines, as the case may be.”

“(C) If, in the case of an employee of a foreign government or the Commonwealth of the Philippines, the foreign government or the Commonwealth of the Philippines grants an equivalent exemption to employees of the Government of the United States performing similar services in such foreign country or such Commonwealth, as the case may be.”

(c) Effective January 1, 1946, section 1426 (b), the term “employment” for the purposes of the Insurance Contributions Act, is amended (1) by striking out the word “or” at the end of paragraph (14), striking out the period at the end of paragraph (15), inserting in lieu thereof a semicolon and the word “and” and (3) by inserting at the end of the subject following new paragraph:

“(16) Service performed in the employ of an international organization.”

(d) Effective January 1, 1946, section 1607 (c), the term “employment” for the purposes of the Unemployment Tax Act, is amended (1) by striking out the word “or” at the end of paragraph (14), (2) by striking out the period at the end of paragraph (15), inserting in lieu thereof a semicolon and the word “and” and (3) by inserting at the end of the subject following new paragraph:

“(16) Service performed in the employ of an international organization.”

(e) Section 1621 (a) (5), relating to the definition of “wages” for the purpose of collection of income tax, the source, is amended by inserting after the word “foreign government” the words “or an international organization”.

(f) Section 3466 (a), relating to exemption from communications taxes is amended by inserting immediately after the words “the District of Columbia” a comma and the words “or an international organization”.

(g) Section 3469 (f) (1), relating to exemption from the tax on transportation of persons, is amended by inserting immediately after the words “the District of Columbia” a comma and the words “or an international organization”.

Section 3475 (b) (1), relating to exemption from tax on transportation of property, is amended by inserting immediately after the words "the District of Columbia" a comma and the words "or an international organization".

Section 3797 (a), relating to definitions, is amended by adding at the end thereof a new paragraph as follows:

(18) INTERNATIONAL ORGANIZATION.—The term 'international organization' means a public international organization entitled to enjoy privileges, exemptions, and immunities as an international organization under the International Organizations Immunities Act."

Sec. 5. (a) Effective January 1, 1946, section 209 (b) of the Social Security Act, defining the term "employment" for the purposes of title II of the Act, is amended (1) by striking out the word "or" at the end of paragraph (14), (2) by striking out the period at the end of paragraph (15) and inserting in lieu thereof a semicolon and the word "or", and (3) by inserting at the end of the subsection the following new paragraph:

(16) Service performed in the employ of an international organization entitled to enjoy privileges, exemptions, and immunities as an international organization under the International Organizations Immunities Act."

(b) No tax shall be collected under title VIII or IX of the Social Security Act or under the Federal Insurance Contributions Act or the Federal Unemployment Tax Act, with respect to services rendered prior to January 1, 1946, which are described in paragraph (16) of sections 1426 and 1607 (c) of the Internal Revenue Code, as amended, and any such tax heretofore collected (including interest and interest with respect thereto, if any) shall be refunded in accordance with the provisions of law applicable in the case of erroneous or illegal collection of the tax. No interest shall be allowed or paid on the amount of any refund. No payment shall be made under title II of the Social Security Act with respect to services rendered prior to January 1, 1946, which are described in paragraph (16) of section 209 (b) of such Act, as amended.

Sec. 6. International organizations shall be exempt from property taxes imposed by, or under the authority of, any Act of Congress, including such Acts as are applicable to the District of Columbia or the Territories.

Sec. 7. (a) Persons designated by foreign governments to serve as their representatives in or to international organizations and the officers and employees of such organizations, and members of the immediate families of such representatives, officers, and employees residing with them, other than nationals of the United States, shall, so far as concerns laws regulating entry into and departure from the United States, alien registration and reporting, and the registration of foreign agents, be entitled to the same privileges, exemptions, and immunities as are accorded under similar circumstances to officers and employees, respectively, of foreign governments, and members of their families.

(b) Representatives of foreign governments in or to international organizations and officers and employees of such organizations shall be immune from suit and legal process relating to acts performed by them in their official

capacity and falling within their functions as such representatives, officers, or employees except insofar as such immunity may be waived by the foreign government or international organization concerned.

(c) Section 3 of the Immigration Act approved May 26, 1924, as amended (U. S. C., title 8, sec. 203), is hereby amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "and (7) a representative of a foreign government in or to an international organization entitled to enjoy privileges, exemptions, and immunities as an international organization under the International Organizations Immunities Act, or an alien officer or employee of such an international organization, and the family, attendants, servants, and employees of such a representative, officer, or employee".

(d) Section 15 of the Immigration Act approved May 26, 1924, as amended (U. S. C., title 8, sec. 215), is hereby amended to read as follows:

"SEC. 15. The admission to the United States of an alien excepted from the class of immigrants by clause (1), (2), (3), (4), (5), (6), or (7) of section 3, or declared to be a nonquota immigrant by subdivision (e) of section 4, shall be for such time and under such conditions as may be by regulations prescribed (including, when deemed necessary for the classes mentioned in clause (2), (3), (4), or (6) of section 3 and subdivision (e) of section 4, the giving of bond with sufficient surety, in such sum and containing such conditions as may be by regulations prescribed) to insure that, at the expiration of such time or upon failure to maintain the status under which admitted, he will depart from the United States: *Provided*, That no alien who has been, or who may hereafter be, admitted into the United States under clause (1) or (7) of section 3, as an official of a foreign government, or as a member of the family of such official, or as a representative of a foreign government in or to an international organization or an officer or employee of an international organization, or as a member of the family of such representative, officer, or employee, shall be required to depart from the United States without the approval of the Secretary of State."

SEC. 8. (a) No person shall be entitled to the benefits of this title unless he (1) shall have been duly notified to and accepted by the Secretary of State as a representative, officer, or employee; or (2) shall have been designated by the Secretary of State, prior to formal notification and acceptance, as a prospective representative, officer, or employee; or (3) is a member of the family or suite, or servant, of one of the foregoing accepted or designated representatives, officers, or employees.

(b) Should the Secretary of State determine that the continued presence in the United States of any person entitled to the benefits of this title is not desirable, he shall so inform the foreign government or international organization concerned, as the case may be, and after such person shall have had a reasonable length of time, to be determined by the Secretary of State, to depart from the United States, he shall cease to be entitled to such benefits.

(c) No person shall, by reason of the provisions of this title, be considered as receiving diplomatic status or as

receiving any of the privileges incident thereto other than such as are specifically set forth herein.

SEC. 9. The privileges, exemptions, and immunities of international organizations and of their officers and employees, and members of their families, suites, and servants, provided for in this title, shall be granted notwithstanding the fact that the similar privileges, exemptions, and immunities granted to a foreign government, its officers, or employees, may be conditioned upon the existence of reciprocity by that foreign government: *Provided*, That nothing contained in this title shall be construed as precluding the Secretary of State from withdrawing the privileges, exemptions, and immunities herein provided from persons who are nationals of any foreign country on the ground that such country is failing to accord corresponding privileges, exemptions, and immunities to citizens of the United States.

SEC. 10. This title may be cited as the "International Organizations Immunities Act".

*Executive Order 9698*²

DESIGNATING PUBLIC INTERNATIONAL ORGANIZATIONS ENTITLED TO ENJOY CERTAIN PRIVILEGES, EXEMPTIONS, AND IMMUNITIES

By virtue of the authority vested in me by section 1 of the International Organizations Immunities Act, approved December 29, 1945 (Public Law 291, 79th Congress), and having found that the United States participates in the following-named international organizations pursuant to a treaty or under the authority of an act of Congress authorizing such participation or making an appropriation therefor, I hereby designate such organizations as public international organizations entitled to enjoy the privileges, exemptions, and immunities conferred by the said International Organizations Immunities Act:

The Food and Agriculture Organization.

The International Labor Organization.

The Pan American Union.

The United Nations.

The United Nations Relief and Rehabilitation Administration.

With respect to the designation of such other international organizations as may be entitled to the privileges, exemptions, and immunities conferred by the said Act, the Department of State is hereby designated as the agency to receive applications for the granting of such privileges, exemptions, and immunities. The Secretary of State shall require such information as he may deem necessary from the international organizations making such applications, and shall submit recommendations to the President as to whether the applicant organizations should be designated as public international organizations

entitled to enjoy the privileges, exemptions, and immunities conferred by the said Act.

HARRY S. TRUMAN

THE WHITE HOUSE,
February 19, 1946.

*Executive Order 9751*³

DESIGNATING PUBLIC INTERNATIONAL ORGANIZATIONS ENTITLED TO ENJOY CERTAIN PRIVILEGES, EXEMPTIONS, AND IMMUNITIES

By virtue of the authority vested in me by section 1 of the International Organizations Immunities Act, approved December 29, 1945 (Public Law 291, 79th Congress), and having found that the United States participates in the following-named international organizations pursuant to a treaty or under the authority of an act of Congress authorizing such participation or making an appropriation therefor, I hereby designate such organizations as public international organizations entitled to enjoy the privileges, exemptions, and immunities conferred by the said Act:

Inter-American Coffee Board

Inter-American Institute of Agricultural Sciences

Inter-American Statistical Institute

International Bank for Reconstruction and Development

International Monetary Fund

Pan American Sanitary Bureau

The designation of the above-named organizations of those named in Executive Order No. 9698 of February 19, 1946, as public international organizations with meaning of the said International Organizations Immunities Act is not intended to abridge in any way the privileges and immunities which such organizations acquired or may acquire by treaty or Congressional action; provided, that with respect to the International Bank for Reconstruction and Development, such designation shall not be construed to affect in any way the application of the provisions of section 3, Article VII, of the Agreement of the Bank as adopted by the Congress of the United States in the Bretton-Woods Agreement of July 31, 1945 (Public Law 171, 79th Congress).

HARRY S. TRUMAN

THE WHITE HOUSE,
July 11, 1946.

*Executive Order 9823*⁴

DESIGNATING PUBLIC INTERNATIONAL ORGANIZATIONS ENTITLED TO ENJOY CERTAIN PRIVILEGES, EXEMPTIONS, AND IMMUNITIES

By virtue of the authority vested in me by section 1 of the International Organizations Immunities Act, approved December 29, 1945 (59 Stat. 669), and having found that the United States participates in the following-named international organizations pursuant to a treaty or under the authority of an act of Congress authorizing such participation or making an appropriation therefor, I hereby designate such organizations as public international organizations

² 11 Fed. Reg. 1809.

³ 11 Fed. Reg. 7713.

⁴ 12 Fed. Reg. 551.

them as public international organizations entitled to the privileges, exemptions, and immunities conferred by said Act:

Intergovernmental Committee on Refugees.

International Wheat Advisory Committee (International Wheat Council).

The designation of the above organizations as public international organizations within the meaning of the International Organizations Immunities Act is not intended to abridge in any respect privileges and immunities which such organizations may have acquired or may acquire by treaty or Congressional action.

This order supplements Executive Orders No. 9698 of February 19, 1946, and No. 9751 of July 11, 1946.

HARRY S. TRUMAN

THE WHITE HOUSE,
January 24, 1947.

Executive Order 9863⁵

DESIGNATING PUBLIC INTERNATIONAL ORGANIZATIONS ENTITLED TO ENJOY CERTAIN PRIVILEGES, EXEMPTIONS, AND IMMUNITIES

By virtue of the authority vested in me by section 1 of the International Organizations Immunities Act, approved December 29, 1945 (59 Stat. 669), and having found that the United States participates in the following international organizations pursuant to a treaty or by the authority of an act of Congress authorizing participation or making an appropriation therefor, I hereby designate such organizations as public international organizations entitled to enjoy the privileges, exemptions, and immunities conferred by the said Act:

United Nations Educational, Scientific, and Cultural Organization

International Civil Aviation Organization

International Telecommunication Union

The designation of the above-named organizations as public international organizations within the meaning of the said International Organizations Immunities Act is not intended to abridge in any respect privileges and immunities which such organizations may have acquired or may acquire by treaty or Congressional action.

This order supplements Executive Orders No. 9698 of February 19, 1946, No. 9751 of July 11, 1946, and No. 9823 of January 24, 1947.

HARRY S. TRUMAN

THE WHITE HOUSE,
May 31, 1947.

Executive Order 9887⁶

DESIGNATING PUBLIC INTERNATIONAL ORGANIZATIONS ENTITLED TO ENJOY CERTAIN PRIVILEGES, EXEMPTIONS, AND IMMUNITIES

By virtue of the authority vested in me by section 1 of the International Organizations Immunities Act, approved December 29, 1945 (59 Stat. 669), and having found

November 19, 1948

that the United States participates in the Preparatory Commission for the International Refugee Organization under the authority of section 5 of Public Law 146, 80th Congress, 1st Session, and that section 1 of that Act authorizes me to accept membership for the United States in the International Refugee Organization, which membership I have duly accepted, I hereby designate the Preparatory Commission for the International Refugee Organization and its successor, the International Refugee Organization, as public international organizations entitled to enjoy the privileges, exemptions, and immunities conferred by the said Act.

The designation of the above-named organizations as public international organizations within the meaning of the said International Organizations Immunities Act is not intended to abridge in any respect privileges and immunities which such organizations may have acquired or may acquire by treaty or Congressional action.

This order shall become effective immediately as to the Preparatory Commission for the International Refugee Organization, and shall become effective as to the International Refugee Organization on the date that organization comes into existence in accordance with the terms of its Constitution.

This order supplements Executive Orders No. 9698 of February 19, 1946, No. 9751 of July 11, 1946, No. 9823 of January 24, 1947, and No. 9863 of May 31, 1947.

HARRY S. TRUMAN

THE WHITE HOUSE,
August 22, 1947.

Executive Order 9911⁷

DESIGNATING THE INTERNATIONAL COTTON ADVISORY COMMITTEE AS A PUBLIC INTERNATIONAL ORGANIZATION ENTITLED TO ENJOY CERTAIN PRIVILEGES, EXEMPTIONS, AND IMMUNITIES

By virtue of the authority vested in me by section 1 of the International Organizations Immunities Act, approved December 29, 1945 (59 Stat. 669), and having found that the United States participates in the International Cotton Advisory Committee under the authority of an act of Congress authorizing such participation or making an appropriation for such participation, I hereby designate such organization as a public international organization entitled to enjoy the privileges, exemptions, and immunities conferred by the said Act.

The designation of the above-named organization as a public international organization within the meaning of the said International Organizations Immunities Act is not intended to abridge in any respect privileges and immunities which such organization may have acquired or may acquire by treaty or Congressional action.

⁵ 12 Fed. Reg. 3559.

⁶ 12 Fed. Reg., 5723.

⁷ 12 Fed. Reg. 8719.

This order supplements Executive Orders No. 9698 of February 19, 1946, No. 9751 of July 11, 1946, No. 9823 of January 24, 1947, No. 9863 of May 31, 1947, and No. 9887 of August 22, 1947.

HARRY S. TRUMAN

THE WHITE HOUSE,
December 19, 1947.

Executive Order 9972^s

DESIGNATING THE INTERNATIONAL JOINT COMMISSION—UNITED STATES AND CANADA AS A PUBLIC INTERNATIONAL ORGANIZATION ENTITLED TO ENJOY CERTAIN PRIVILEGES, EXEMPTIONS, AND IMMUNITIES

By virtue of the authority vested in me by section 1 of the International Organizations Immunities Act, approved December 29, 1945 (59 Stat. 669), and having found that the United States participates in the International Joint Commission—United States and Canada, established under the authority of the Treaty between the United States and Great Britain relating to the boundary waters between the United States and Canada, signed at Washington, January 11, 1909 (36 Stat. 2448), I hereby designate such organization as a public international organization entitled to enjoy the privileges, exemptions, and immunities conferred by the said Act.

The designation of the above-named organization as a public international organization within the meaning of the said International Organization Immunities Act is not intended to abridge in any respect privileges, exemptions, and immunities which such organization may have acquired or may acquire by treaty or Congressional action.

This order supplements Executive Orders No. 9698 of February 19, 1946, No. 9751 of July 11 1946, No. 9823 of January 24, 1947, No. 9863 of May 31, 1947, No. 9887 of August 22, 1947, and No. 9911 of December 19, 1947.

HARRY S. TRUMAN

THE WHITE HOUSE,
June 25, 1948

Public Law 7, 80th Congress, 1st Session

Joint Resolution Granting, in the case of income, estate, and gift taxes, deductions for contributions to the United Nations.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 23 (o) of the Internal Revenue Code (relating to the so-called "charitable contribution" deduction) is amended by striking out the word "or" at the end of paragraph (4) thereof, and by inserting at the end of paragraph (5) the word "or", and by adding after paragraph (5) a new paragraph to read as follows:

"(6) the United Nations, but only if such contributions or gifts (A) are to be used exclusively for the acquisition of a site in the city of New York for its headquarters, and (B) are made after December 1, 1946, and before December 2, 1947;".

^s 13 Fed. Reg. 3573. The Caribbean Commission is now under consideration in the Department of State for designation in a subsequent Executive Order.

SEC. 2. Section 23 (q) of such code (relating to the so-called "charitable contribution" deduction) is amended by inserting at the end of paragraph (3) the word "or" and by adding after paragraph (3) a new paragraph to read as follows:

"(4) the United Nations, but only if such contributions or gifts (A) are to be used exclusively for the acquisition of a site in the city of New York for its headquarters, and (B) are made after December 1, 1946, and before December 2, 1947;".

SEC. 3. Section 1004 (a) (2) of such code (relating to deductions for purposes of gift tax) is amended by striking out the period at the end of subparagraph (E) and inserting in lieu thereof a semicolon, and by adding after subparagraph (E) a new subparagraph to read as follows:

"(F) the United Nations, but only if such gifts are to be used exclusively for the acquisition of a site in the city of New York for its headquarters, and (ii) are made after December 1, 1946, and before December 2, 1947;".

SEC. 4. Section 1004 (b) of such code (relating to deductions for purposes of gift tax) is amended by striking out the period at the end of paragraph (6), and inserting in lieu thereof a semicolon, and by adding after paragraph (6) a new paragraph to read as follows:

"(7) the United Nations, but only if such gifts are to be used exclusively for the acquisition of a site in the city of New York for its headquarters, and (B) are made after December 1, 1946, and before December 2, 1947;".

SEC. 5. The first sentence of section 812 (d) of such code (relating to transfers for public, etc., uses) are hereby amended by inserting after the words "to influence legislation" a comma and the words: "or to or for the use of the United Nations, but only if such requests, legacies, devises, or transfers to or for the use of the United Nations are to be used exclusively for the acquisition of a site in the city of New York for its headquarters and the death of the decedent occurred after December 1, 1946, and before December 2, 1947;".

Approved February 26, 1947.

Public Law 354, 80th Congress, 1st Session

An Act To authorize the Treasury Department and the States Government Printing Office to furnish, or to contract for the purchase, of and furnish, administrative materials, supplies, and services to public international organizations on a reimbursement basis.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "International Organizations Procurement Act of 1947".

SEC. 2. When used in this Act—

(1) The term "international organization" means a public international organization having its headquarters in the United States and entitled to enjoy, in whole or in part, the privileges, exemptions, and immunities authorized by and in accordance with the International Organizations Immunities Act (59 Stat. 669).

The term "administrative supplies" means materials, supplies, and equipment used in housekeeping, maintenance, and office operations.

3. Until July 1, 1948, the Treasury Department and United States Government Printing Office may upon request of any international organization and upon agreement to pay the costs and expenses thereof by allotment of funds or by reimbursement, or by both, purchase, or procure and furnish, to such international organization administrative supplies: *Provided*, That to the extent found by the Treasury Department or the United States Government Printing Office, respectively, necessary and appropriate in order to protect the interests of the United States Government in having sufficient supplies for its own needs, such international organization shall be required to indicate its intended use of such administrative supplies and they shall be furnished, or procured and furnished, to the international organization: *Provided further*, when reimbursement is made, it shall be credited to the appropriation, fund, or account utilized in incurring the obligation, or to the appropriate appropriation, fund, or account which is current at the time of reimbursement.

Approved August 4, 1947.

Public Law 357, 80th Congress, 1st Session

Resolution Authorizing the President to bring into effect an agreement between the United States and the United Nations for the purpose of establishing the permanent headquarters of the United Nations in the United States and authorizing the taking of measures necessary to facilitate compliance with the provisions of such agreement, and for other purposes.

When the Charter of the United Nations was signed on behalf of the United States on June 26, 1945, and was proclaimed on August 8, 1945, by the President of the United States, by and with the advice and consent of the Senate, and the instrument of ratification of the said Charter was deposited on August 8, 1945; and

When the said Charter of the United Nations came into effect with respect to the United States on October 24, 1945; and

When article 104 of the Charter provides that "The Organization shall enjoy in the territory of each of its Members such legal capacity as may be necessary for the exercise of its functions and the fulfillment of its purposes"; and

When article 105 of the Charter provides that:

1. The Organization shall enjoy in the territory of each of its Members such privileges and immunities as may be necessary for the fulfillment of its purposes.

2. Representatives of the Members of the United Nations and officials of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization.

3. The General Assembly may make recommendations with a view to determining the details of the application of paragraphs 1 and 2 of this article or may pro-

pose conventions to the Members of the United Nations for this purpose."; and

Whereas article 28 and other articles of the Charter of the United Nations contemplate the establishment of a seat for the permanent headquarters of the Organization; and

Whereas the interim arrangements concluded on June 26, 1945, by the governments represented at the United Nations Conference on International Organization instructed the Preparatory Commission established in pursuance of the arrangements to "make studies and prepare recommendations concerning the location of the permanent headquarters of the Organization"; and

Whereas during the labors of the said Preparatory Commission, the Congress of the United States in H. Con. Res. 75, passed unanimously by the House of Representatives December 10, 1945, and agreed to unanimously by the Senate December 11, 1945, invited the United Nations "to locate the seat of the United Nations Organization within the United States"; and

Whereas the General Assembly on December 14, 1946, resolved, "that the permanent headquarters of the United Nations shall be established in New York City in the area bounded by First Avenue, East Forty-eighth Street, the East River, and East Forty-second Street"; and

Whereas the General Assembly resolved on December 14, 1946, "That the Secretary-General be authorized to negotiate and conclude with the appropriate authorities of the United States of America an agreement concerning the arrangements required as a result of the establishment of the permanent headquarters of the United Nations in the city of New York" and to be guided in these negotiations by the provisions of a preliminary draft agreement which had been negotiated by the Secretary-General and the Secretary of State of the United States; and

Whereas the General Assembly resolved on December 14, 1946, that pending the coming into force of the agreement referred to above "the Secretary-General be authorized to negotiate and conclude arrangements with the appropriate authorities of the United States of America to determine on a provisional basis the privileges, immunities, and facilities needed in connection with the temporary headquarters of the United Nations."; and

Whereas the Secretary of State of the United States, after consultation with the appropriate authorities of the State and city of New York, signed at Lake Success, New York, on June 26, 1947, on behalf of the United States an agreement with the United Nations regarding the headquarters of the United Nations, which agreement is incorporated herein; and

Whereas the aforesaid agreement provides that it shall be brought into effect by an exchange of notes between the United States and the Secretary-General of the United Nations: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to bring into effect on the part of the United States the agreement be-

tween the United States of America and the United Nations regarding the headquarters of the United Nations, signed at Lake Success, New York, on June 28, 1947 (hereinafter referred to as the "agreement"), with such changes therein not contrary to the general tenor thereof and not imposing any additional obligations on the United States as the President may deem necessary and appropriate, and at his discretion, after consultation with the appropriate State and local authorities, to enter into such supplemental agreements with the United Nations as may be necessary to fulfill the purposes of the said agreement: *Provided*, That any supplemental agreement entered into pursuant to section 5 of the agreement incorporated herein shall be submitted to the Congress for approval. The agreement follows:

AGREEMENT BETWEEN THE UNITED NATIONS AND THE UNITED STATES OF AMERICA REGARD- ING THE HEADQUARTERS OF THE UNITED NATIONS

THE UNITED NATIONS AND THE UNITED STATES OF AMERICA:

Desiring to conclude an agreement for the purpose of carrying out the Resolution adopted by the General Assembly on 14 December 1946 to establish the seat of the United Nations in The City of New York and to regulate questions arising as a result thereof;

Have appointed as their representatives for this purpose:

The United Nations:

TRYGVE LIE,
Secretary-General,

and

The United States of America:

GEORGE C. MARSHALL,
Secretary of State,

Who have agreed as follows:

Article I—Definitions

SECTION 1

In this agreement:

(a) The expression "headquarters district" means (1) the area defined as such in Annex 1, (2) any other lands or buildings which from time to time may be included therein by supplemental agreement with the appropriate American authorities;

(b) the expression "appropriate American authorities" means such federal, state, or local authorities in the United States as may be appropriate in the context and in accordance with the laws and customs of the United States, including the laws and customs of the state and local government involved;

(c) the expression "General Convention" means the Convention on the Privileges and Immunities of the United Nations approved by the General Assembly of the United Nations 13 February 1946, as acceded to by the United States;

(d) the expression "United Nations" means the international organization established by the Charter of the United Nations, hereinafter referred to as the "Charter";

(e) the expression "Secretary-General" means Secretary-General of the United Nations.

Article II—The Headquarters District

SECTION 2

The seat of the United Nations shall be the headquarters district.

SECTION 3

The appropriate American authorities shall take every action may be necessary to assure that the United Nations shall not be dispossessed of its property, headquarters district, except as provided in Section 5 in the event that the United Nations ceases to exist; provided that the United Nations shall release the appropriate American authorities for any expropriation, after consultation with the United Nations liquidating by eminent domain proceedings or other any adverse claims.

SECTION 4

(a) The United Nations may establish and operate the headquarters district:

(1) its own short-wave sending and receiving broadcasting facilities (including emergency link facilities) which may be used on the same frequencies (within the tolerances prescribed for the broadcasting services applicable United States regulations) for radioteletype, radiotelephone, radiotelephoto, and other services;

(2) one point-to-point circuit between the headquarters district and the office of the United Nations in the United States (using single sideband equipment) to be used exclusively for the exchange of broadcasting programs and international communications;

(3) low power micro-wave, low or medium frequency facilities for communication within headquarters district only, or such other buildings as may temporarily be used by the United Nations;

(4) facilities for point-to-point communication to the same extent and subject to the same conditions as permitted under applicable rules and regulations for operation in the United States, except that such rules and regulations shall not be applied in a manner inconsistent with the inviolability of the headquarters district provided by Section 9 (a);

(5) such other radio facilities as may be specified in a supplemental agreement between the United Nations and the appropriate American authorities.

(b) The United Nations shall make arrangements for the operation of the services referred to in this section with the International Telecommunication Union through the appropriate agencies of the Government of the United States and the appropriate agencies of other affected governments with regard to all frequencies and signal matters.

(c) The facilities provided for in this section may, to the extent necessary for efficient operation, be established and operated outside the headquarters district. The appropriate American authorities will, on request of the

United Nations, make arrangements, on such terms and in such manner as may be agreed upon by supplemental agreement, for the acquisition or use by the United Nations of appropriate premises for such purposes and the location of such premises in the headquarters district.

SECTION 5

In the event that the United Nations should find it necessary and desirable to establish and operate an aerodrome, the conditions for the location, use and operation of such an aerodrome and the conditions under which persons shall be entry into and exit therefrom shall be the subject of a supplemental agreement.

SECTION 6

In the event that the United Nations should propose to organize its own postal service, the conditions under which such service shall be set up shall be the subject of a supplemental agreement.

Article III—Law and Authority in the Headquarters District

SECTION 7

The headquarters district shall be under the command and authority of the United Nations as provided in this agreement.

Except as otherwise provided in this agreement or in the General Convention, the federal, state and local laws of the United States shall apply within the headquarters district.

Except as otherwise provided in this agreement or in the General Convention, the federal, state and local laws of the United States shall have jurisdiction over persons, acts and transactions taking place in the headquarters district as provided in applicable federal, state and local laws.

The federal, state and local courts of the United States, when dealing with cases arising out of or relating to acts done or transactions taking place in the headquarters district, shall take into account the regulations established by the United Nations under Section 8.

SECTION 8

The United Nations shall have the power to make regulations, operative within the headquarters district, for the purpose of establishing therein conditions in all respects necessary for the full execution of its functions. Any federal, state or local law or regulation of the United States which is inconsistent with a regulation of the United Nations authorized by this section shall, to the extent of such inconsistency, be inapplicable within the headquarters district. Any dispute, between the United Nations and the United States, as to whether a regulation of the United Nations is authorized by this section or as to whether a federal, state or local law or regulation is inconsistent with any regulation of the United Nations authorized by this section, shall be promptly settled as provided in Section 21. Pending such settlement, the regulations of the United Nations shall apply, and the federal, state or local law or regulation shall be in-

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applicable in the headquarters district to the extent that the United Nations claims it to be inconsistent with the regulation of the United Nations. This section shall not prevent the reasonable application of fire protection regulations of the appropriate American authorities.

SECTION 9

(a) The headquarters district shall be inviolable. Federal, state or local officers or officials of the United States, whether administrative, judicial, military or police, shall not enter the headquarters district to perform any official duties therein except with the consent of and under conditions agreed to by the Secretary-General. The service of legal process, including the seizure of private property, may take place within the headquarters district only with the consent of and under conditions approved by the Secretary-General.

(b) Without prejudice to the provisions of the General Convention or Article IV of this agreement, the United Nations shall prevent the headquarters district from becoming a refuge either for persons who are avoiding arrest under the federal, state, or local law of the United States or are required by the Government of the United States for extradition to another country, or for persons who are endeavoring to avoid service of legal process.

SECTION 10

The United Nations may expel or exclude persons from the headquarters district for violation of its regulations adopted under Section 8 or for other cause. Persons who violate such regulations shall be subject to other penalties or to detention under arrest only in accordance with the provisions of such laws or regulations as may be adopted by the appropriate American authorities.

Article IV—Communications and Transit

SECTION 11

The federal, state or local authorities of the United States shall not impose any impediments to transit to or from the headquarters district of (1) representatives of Members or officials of the United Nations, or of specialized agencies as defined in Article 57, paragraph 2, of the Charter, or the families of such representatives or officials, (2) experts performing missions for the United Nations or for such specialized agencies, (3) representatives of the press, or of radio, film or other information agencies, who have been accredited by the United Nations (or by such a specialized agency) in its discretion after consultation with the United States, (4) representatives of non-governmental organizations recognized by the United Nations for the purpose of consultation under Article 71 of the Charter, or (5) other persons invited to the headquarters district by the United Nations or by such specialized agency on official business. The appropriate American authorities shall afford any necessary protection to such persons while in transit to or from the headquarters district. This section does not apply to general interruptions of transportation which are to be dealt with as provided in Section 17, and does not impair the effective-

ness of generally applicable laws and regulations as to the operation of means of transportation.

SECTION 12

The provisions of Section 11 shall be applicable irrespective of the relations existing between the Governments of the persons referred to in that section and the Government of the United States.

SECTION 13

(a) Laws and regulations in force in the United States regarding the entry of aliens shall not be applied in such manner as to interfere with the privileges referred to in Section 11. When visas are required for persons referred to in that Section, they shall be granted without charge and as promptly as possible.

(b) Laws and regulations in force in the United States regarding the residence of aliens shall not be applied in such manner as to interfere with the privileges referred to in Section 11 and, specifically, shall not be applied in such manner as to require any such person to leave the United States on account of any activities performed by him in his official capacity. In case of abuse of such privileges of residence by any such person in activities in the United States outside his official capacity, it is understood that the privileges referred to in Section 11 shall not be construed to grant him exemption from the laws and regulations of the United States regarding the continued residence of aliens, provided that:

(1) No proceedings shall be instituted under such laws or regulations to require any such person to leave the United States except with the prior approval of the Secretary of State of the United States. Such approval shall be given only after consultation with the appropriate Member in the case of a representative of a Member (or a member of his family) or with the Secretary-General or the principal executive officer of the appropriate specialized agency in the case of any other person referred to in Section 11;

(2) A representative of the Member concerned, the Secretary-General, or the principal executive officer of the appropriate specialized agency, as the case may be, shall have the right to appear in any such proceedings on behalf of the person against whom they are instituted;

(3) Persons who are entitled to diplomatic privileges and immunities under Section 15 or under the General Convention shall not be required to leave the United States otherwise than in accordance with the customary procedure applicable to diplomatic envoys accredited to the United States.

(c) This section does not prevent the requirement of reasonable evidence to establish that persons claiming the rights granted by Section 11 come within the classes described in that section, or the reasonable application of quarantine and health regulations.

(d) Except as provided above in this section and in the General Convention, the United States retains full control and authority over the entry of persons or property into the territory of the United States and the conditions under which persons may remain or reside there.

(e) The Secretary-General shall, at the request of appropriate American authorities, enter into discussions with such authorities, with a view to making arrangements for registering the arrival and departure of persons who have been granted visas valid only for transit to or from the headquarters district and sojourn therein in the immediate vicinity.

(f) The United Nations shall, subject to the provisions of this section, have the exclusive right to authorize or prohibit entry of persons and property into the headquarters district and to prescribe the conditions under which persons may remain or reside there.

SECTION 14

The Secretary-General and the appropriate American authorities shall, at the request of either of them, as to methods of facilitating entrance into the United States, and the use of available means of transportation by persons coming from abroad who wish to visit the headquarters district and do not enjoy the rights referred to in this Article.

Article V—Resident Representatives to the United Nations

SECTION 15

(1) Every person designated by a Member as its principal resident representative to the United Nations shall be a member of the staff of the Member or as a resident representative with the rank of ambassador or minister plenipotentiary,

(2) such resident members of their staffs as may be agreed upon between the Secretary-General, the Government of the United States and the Government of the Member concerned,

(3) every person designated by a Member of a specialized agency, as defined in Article 57, paragraph 2, of the Charter, as its principal resident representative, with the rank of ambassador or minister plenipotentiary, shall be a member of the staff of the agency in the United States, and

(4) such other principal resident representatives as may be agreed upon between the principal executive officer of the specialized agency, the Government of the United States and the Government of the Member concerned, shall, whether residing inside or outside the headquarters district, be entitled in the territory of the United States to the same privileges and immunities, subject to corresponding conditions and obligations, as it accords to diplomatic envoys accredited to it. In the case of persons whose governments are not recognized by the United States, such privileges and immunities need be extended only to such representatives, or persons on the staffs of such representatives, only within the headquarters district. Outside their residences and offices outside the district, in transit between the district and such residences and offices, or in transit on official business to or from foreign countries.

Article VI—Police Protection of the Headquarters District

SECTION 16

(a) The appropriate American authorities shall exercise due diligence to ensure that the tranquility of the headquarters district is maintained.

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quarters district is not disturbed by the unauthorized groups of persons from outside or by disturbances in the immediate vicinity and shall cause to be provided on the boundaries of the headquarters district such police protection as is required for these purposes.

As so requested by the Secretary-General, the appropriate American authorities shall provide a sufficient force of police for the preservation of law and order in the headquarters district, and for the removal therefrom of persons as requested under the authority of the United Nations. The United Nations shall, if requested, make arrangements with the appropriate American authorities to reimburse them for the reasonable cost of such services.

VII—Public Services and Protection of the Headquarters District

SECTION 17

The appropriate American authorities will exercise to the extent requested by the Secretary-General the powers which they possess with respect to the supplying of services to ensure that the headquarters district is supplied on equitable terms with the necessary services, including electricity, water, gas, post, telegraph, transportation, drainage, collection of refuse, fire protection, snow removal, et cetera. In case of interruption or threatened interruption of any of these services, the appropriate American authorities will take such steps as may be necessary to meet the needs of the United Nations as being of equal importance with the similar needs of essential agencies of the Government of the United States, and will take such steps, accordingly, to ensure that the work of the United Nations is not prejudiced.

Special provisions with reference to maintenance of roads and underground construction are contained in Section 22.

SECTION 18

The appropriate American authorities shall take all such steps as may be necessary to ensure that the amenities of the headquarters district are not prejudiced and the purposes of the United Nations in the district are not obstructed by any use made of the land in the vicinity of the district. The United Nations shall on its part take all reasonable steps to ensure that the amenities of the land in the vicinity of the headquarters district are not prejudiced by any use of the land in the headquarters district by the United Nations.

SECTION 19

It is agreed that no form of racial or religious discrimination shall be permitted within the headquarters district.

VIII—Matters Relating to the Operation of This Agreement

SECTION 20

The Secretary-General and the appropriate American authorities shall settle by agreement the channels through which they will communicate regarding the application of the provisions of this agreement and other questions arising thereunder.

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fecting the headquarters district, and may enter into such supplemental agreements as may be necessary to fulfill the purposes of this agreement. In making supplemental agreements with the Secretary-General, the United States shall consult with the appropriate state and local authorities. If the Secretary-General so requests, the Secretary of State of the United States shall appoint a special representative for the purpose of liaison with the Secretary-General.

SECTION 21

(a) Any dispute between the United Nations and the United States concerning the interpretation or application of this agreement or of any supplemental agreement, which is not settled by negotiation or other agreed mode of settlement, shall be referred for final decision to a tribunal of three arbitrators, one to be named by the Secretary-General, one to be named by the Secretary of State of the United States, and the third to be chosen by the two, or, if they should fail to agree upon a third, then by the President of the International Court of Justice.

(b) The Secretary-General or the United States may ask the General Assembly to request of the International Court of Justice an advisory opinion on any legal question arising in the course of such proceedings. Pending the receipt of the opinion of the Court, an interim decision of the arbitral tribunal shall be observed on both parties. Thereafter, the arbitral tribunal shall render a final decision, having regard to the opinion of the Court.

Article IX—Miscellaneous Provisions

SECTION 22

(a) The United Nations shall not dispose of all or any part of the land owned by it in the headquarters district without the consent of the United States. If the United States is unwilling to consent to a disposition which the United Nations wishes to make of all or any part of such land, the United States shall buy the same from the United Nations at a price to be determined as provided in paragraph (d) of this section.

(b) If the seat of the United Nations is removed from the headquarters district, all right, title and interest of the United Nations in and to real property in the headquarters district or any part of it shall, on request of either the United Nations or the United States, be assigned and conveyed to the United States. In the absence of such request, the same shall be assigned and conveyed to the subdivision of a state in which it is located or, if such subdivision shall not desire it, then to the state in which it is located. If none of the foregoing desires the same, it may be disposed of as provided in paragraph (a) of this section.

(c) If the United Nations disposes of all or any part of the headquarters district, the provisions of other sections of this agreement which apply to the headquarters district shall immediately cease to apply to the land and buildings so disposed of.

(d) The price to be paid for any conveyance under this section shall, in default of agreement, be the then fair value of the land, buildings and installations, to be determined under the procedure provided in Section 21.

SECTION 23

The seat of the United Nations shall not be removed from the headquarters district unless the United Nations should so decide.

SECTION 24

This agreement shall cease to be in force if the seat of the United Nations is removed from the territory of the United States, except for such provisions as may be applicable in connection with the orderly termination of the operations of the United Nations at its seat in the United States and the disposition of its property therein.

SECTION 25

Wherever this agreement imposes obligations on the appropriate American authorities, the Government of the United States shall have the ultimate responsibility for the fulfillment of such obligations by the appropriate American authorities.

SECTION 26

The provisions of this agreement shall be complementary to the provisions of the General Convention. In so far as any provision of this agreement and any provisions of the General Convention relate to the same subject matter, the two provisions shall, wherever possible, be treated as complementary, so that both provisions shall be applicable and neither shall narrow the effect of the other; but in any case of absolute conflict, the provisions of this agreement shall prevail.

SECTION 27

This agreement shall be construed in the light of its primary purpose to enable the United Nations at its headquarters in the United States, fully and efficiently to discharge its responsibilities and fulfill its purposes.

SECTION 28

This agreement shall be brought into effect by an exchange of notes between the Secretary-General, duly authorized pursuant to a resolution of the General Assembly of the United Nations, and the appropriate executive officer of the United States, duly authorized pursuant to appropriate action of the Congress.

IN WITNESS WHEREOF the respective representatives have signed this Agreement and have affixed their seals hereto.

DONE in duplicate, in the English and French languages, both authentic, at Lake Success the twenty-sixth day of June 1947.

For the Government of the United States of America:

G. C. MARSHALL

Secretary of State

For the United Nations:

TRYGVE LIE

Secretary-General

Annex 1

The area referred to in Section 1 (a) (1) consists of (a) the premises bounded on the East by the westerly side of Franklin D. Roosevelt Drive, on the West by the easterly

side of First Avenue, on the North by the southerly side of East Forty-eighth Street, and on the South by the northerly side of East Forty-second Street, all as provided to be widened, in the Borough of Manhattan, City of New York, and (b) an easement over Franklin D. Roosevelt Drive, above a lower limiting plane to be established for the construction and maintenance of an esplanade together with the structures thereon and foundation columns to support the same in locations below such limiting plane, the entire area to be more definitely defined by supplemental agreement between the United Nations and the United States of America.

Annex 2—Maintenance of Utilities and Underground Construction

SECTION 1

The Secretary-General agrees to provide passes to authorized employees of The City of New York, the State of New York, or any of their agencies or subdivisions for the purpose of enabling them to inspect, repair, maintain, reconstruct and relocate utilities, conduits, mains and sewers within the headquarters district.

SECTION 2

Underground constructions may be undertaken by the City of New York, or the State of New York, or any of their agencies or subdivisions, within the headquarters district only after consultation with the Secretary-General, and under conditions which shall not disturb the carrying out of the functions of the United Nations.

SEC. 2. For the purpose of carrying out the obligations of the United States under said agreement and supplemental agreements with respect to United States assurances that the United Nations shall not be disposed of its property in the headquarters district, and with respect to the establishment of radio facilities and the possible establishment of an airport:

(a) The President of the United States, or any officer or governmental agency authorized by the President, may acquire in the name of the United States any property interest therein by purchase, donation, or other means, or may cause proceedings to be instituted for the acquisition of the same by condemnation.

(b) Upon the request of the President, or such officer as the President may designate, the Attorney General of the United States shall cause such condemnation or other proceedings to be instituted in the name of the United States in the district court of the United States for the district in which the property is situated and such court shall have full jurisdiction of such proceedings, and condemnation proceedings shall be conducted in accordance with the Act of August 1, 1888 (25 Stat. 357), as amended, and the Act of February 26, 1931 (46 Stat. 142), as amended.

(c) After the institution of any such condemnation proceedings, possession of the property may be taken at any time the President, or such officer as he may designate determines is necessary, and the court shall enter such orders as may be necessary to effect entry and occupation of the property.

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b) The President of the United States, or any officer or governmental agency duly authorized by the President, in the name of the United States, transfer or convey possession of and title to any interest in any property owned or held by the United States, pursuant to paragraph (a) above, to the United Nations on the terms provided in the agreement or in any supplemental agreement, shall execute and deliver such conveyances and other documents and perform such other acts in connection therewith as may be necessary to carry out the provisions of the agreement.

There are authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such sums as may be required to enable the United States to carry out the undertakings hereby authorized: *Provided*, that any money appropriated under this authorization shall be spent only on a basis of reimbursement by the United Nations in accordance with section 3 of the agreement, and that the money thus reimbursed shall be deposited and covered into the Treasury of the United States as miscellaneous receipts.

c. 3. The President, or the Secretary of State under his direction, is authorized to enter into agreements with any State of New York or any other State of the United States and to the extent not inconsistent with State law, with any one or more of the political subdivisions thereof, for the effectuating of the provisions of the agreement.

c. 4. Any States, or, to the extent not inconsistent with State law any political subdivisions thereof, affected by the establishment of the headquarters of the United Nations in the United States are authorized to enter into agreements with the United Nations or with each other, consistent with the agreement and for the purpose of facilitating compliance with the same: *Provided*, That, in cases of emergency and agreements of a routine or actual character, a representative of the United States, to be appointed by the Secretary of State, may, at the discretion of the Secretary of State, participate in the negotiations, and that any such agreement entered into by such State or States or political subdivisions thereof shall be subject to approval by the Secretary of State.

c. 5. The President is authorized to make effective arrangements with respect to the temporary headquarters of the United Nations in the State of New York, on a provisional basis, in accordance with the provisions of the agreement as he may deem appropriate, having due regard for the needs of the United Nations at its temporary headquarters.

c. 6. Nothing in the agreement shall be construed as in any way diminishing, abridging, or weakening the right of the United States to safeguard its own security and to control the entrance of aliens into any territory of the United States other than the headquarters district and its immediate vicinity, as to be defined and fixed by a supplementary agreement between the Government of the United States and the United Nations in pursuance of section 13 (3) (e) of the agreement, and such areas as are reasonably necessary to traverse in transit between the United States and foreign countries. Moreover, nothing in section 14 of the agreement with respect to facilitating entrance into the United States by persons who wish to visit the headquarters district and do not enjoy the right of

entry provided in section 11 of the agreement shall be construed to amend or suspend in any way the immigration laws of the United States or to commit the United States in any way to effect any amendment or suspension of such laws.

Approved August 4, 1947.

Exchange of Notes Bringing Headquarters Agreement Into Effect

November 21, 1947

EXCELLENCY: I have the honor to refer to Section 28 of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, which provides for bringing that Agreement into effect by an exchange of notes. Reference is made also to the provisions of United States Public Law 357, 80th Congress, entitled "Joint Resolution Authorizing the President to bring into effect an agreement between the United States and the United Nations for the purpose of establishing the permanent headquarters of the United Nations in the United States and authorizing the taking of measures necessary to facilitate compliance with the provisions of such agreement, and for other purposes", which was approved by the President of the United States of America on August 4, 1947.

Pursuant to instructions from my Government, I have the honor to inform you that the Government of the United States of America is prepared to apply the above-mentioned Headquarters Agreement subject to the provisions of Public Law 357.

I have been instructed by my Government to propose that the present note and your note of this date be considered as bringing the Headquarters Agreement into effect on the date hereof.

Accept [etc.]

WARREN R. AUSTIN

His Excellency TRYGVE LEE,
Secretary-General
of the United Nations,
Lake Success, New York.

21 November 1947

SIR, I have the honour to refer to the Resolution adopted by the General Assembly on 31 October 1947, at its one hundred and first meeting, relative to the Agreement between the United States of America and the United Nations regarding the Headquarters of the United Nations, signed at Lake Success on 26 June 1947.

By this Resolution the General Assembly, after having studied the report of its Sixth Committee and endorsed the opinions expressed therein, has approved the above-mentioned Agreement, which states and defines the mutual obligations of the United Nations and the United States in connection with the establishment of the permanent Headquarters of the United Nations in the United States. The Resolution, consequently, has authorized me to bring that Agreement into force in the manner provided in Section 28 of the Agreement.

Pursuant to the Resolution and in conformity with Section 28 of the Agreement, I have the honour to propose

November 19, 1948

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that the present note and your note of this day be considered as bringing the Headquarters Agreement into effect under date hereof.

I have [etc.]

TRYGVE LIE
Secretary-General

The Honorable WARREN R. AUSTIN,
*Permanent Representative of the
United States of America at the
Seat of the United Nations,*
NEW YORK.

Public Law 903, 80th Congress, 2d Session

Joint Resolution To authorize the President, following appropriation of the necessary funds by the Congress, to bring into effect on the part of the United States the loan agreement of the United States of America and the United Nations signed at Lake Success, New York, March 23, 1948.

Whereas the Congress of the United States, in H. Con. Res. 75, passed unanimously by the House of Representatives December 10, 1945, and agreed to unanimously by the Senate December 11, 1945, invited the United Nations "to locate the seat of the United Nations Organizations within the United States"; and

Whereas the General Assembly on December 14, 1946, resolved "that the permanent headquarters of the United Nations shall be established in New York City in the area bounded by First Avenue, East Forty-eighth Street, the East River, and East Forty-second Street"; and

Whereas, pursuant to authorization of the Congress in Public Law 357 of the Eightieth Congress, the "Agreement Between the United Nations and the United States of America Regarding the Headquarters of the United Nations" was brought into effect November 21, 1947, defining the rights and obligations of the United States and the United Nations with respect to the above-mentioned site; and

Whereas plans have been prepared for construction on said site of permanent headquarters of the United Nations to cost not more than \$65,000,000, and the United Nations is ready to proceed with such construction as soon as financing can be provided; and

Whereas the present temporary headquarters of the United Nations are inadequate for the efficient functioning of the Organization and retention of its headquarters in the United States can be assured only by the erection of adequate permanent facilities; and

Whereas owing to the current critical dollar shortage, the other member nations are not able to provide in cash at present their respective shares of the cost of constructing the permanent headquarters; other methods of borrowing the necessary funds have been found impracticable; and the permanent establishment of the headquarters of the United Nations in this country will result directly and indirectly in substantial economic benefits to the United States from the expenditures of the Organization and its member nations; and

Whereas in view of the foregoing considerations, the United States representative at the seat of the United Nations, in response to an inquiry of the Secretary-General of the United Nations regarding the possibility

of a United States Government loan, informed the Secretary-General, with the authorization of the President by note dated October 29, 1947, that the President recommended to the Congress the authorization from the United States to the United Nations of the construction of the headquarters in an amount not exceeding \$65,000,000; and

Whereas the General Assembly of the United Nations, in its resolution of November 20, 1947, authorized the Secretary-General to negotiate such a loan with the United States officials of the United States Government, recognizing that such loan would require the approval of the Congress; and

Whereas the United States Representative to the United Nations has negotiated and signed, on behalf of the United States an agreement with the United Nations in the form set forth below, providing for an international loan of not more than \$65,000,000 from the United States to the United Nations to be repaid in annual installments, and said agreement is, by its terms, to become effective on notification to the United Nations by the Congress, with the approval of the President, in advance of the funds necessary to be advanced in accordance with the provisions of the agreement: That be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized, following appropriation of the necessary funds by the Congress, or the availability of funds as provided in section 4 (b) hereof, to bring into effect on the part of the United States the agreement, set forth below, between the United States of America and the United Nations, signed at Lake Success, New York, on March 23, 1948, with such changes as may be deemed not contrary to the general tenor thereof and not imposing any additional obligations on the United States or on the United Nations of any obligations, as the President may deem necessary and appropriate:

LOAN AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE UNITED NATIONS

It is hereby agreed by the Government of the United States of America and the United Nations as follows:

(1) Subject to the terms and conditions of this agreement, the Government of the United States will advance to the United Nations a sum not to exceed in the aggregate \$65,000,000. Such sum shall be expended only as authorized by the United Nations for the construction and furnishing of the permanent headquarters of the United Nations in its headquarters district in The City of New York, as defined in the Agreement Between the United States of America and the United Nations Regarding the Headquarters of the United Nations, signed at Lake Success, New York, on June 26, 1947, including the necessary architectural and engineering work, landscaping, ground construction and other appropriate improvements to the land and approaches, and for other related purposes and expenses incident thereto.

(2) Such sum, or parts thereof, will be advanced to the United States through the Secretary of State, and the United Nations upon request of the Secretary-General.

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her duly authorized officer of the United Nations and the certification of the architect or engineer in charge of construction, countersigned by the Secretary-General or other duly authorized officer, that the amount requested is required to cover payments for the purposes set forth in paragraph (1) above which either (a) have been at any time made by the United Nations, or (b) are due and payable, or (c) it is estimated will become due and payable within sixty days from the date of such request. All sums not used by the United Nations for the purposes set forth in paragraph (1) will be returned to the United States through the Secretary of State when no longer required for said purposes. No amounts will be advanced hereunder after July 1, 1951, or such later date, not after July 1, 1955, as may be agreed to by the Secretary of State. (3) All sums advanced hereunder will be receipted for on behalf of the United Nations by the Secretary-General or other duly authorized officer of the United Nations.

(4) The United Nations will repay, without interest, to the United States the principal amount of all sums advanced hereunder, in annual payments beginning on July 1, 1951, and on the dates and in the amounts indicated, until the entire amount advanced under this agreement has been repaid as follows:

Date	Amount
July 1, 1951	\$1,000,000
July 1, 1952	1,000,000
July 1, 1953	1,500,000
July 1, 1954	1,500,000
July 1, 1955	2,000,000
July 1, 1956	2,000,000
July 1, 1957	2,000,000
July 1, 1958	2,000,000
July 1, 1959	2,000,000
July 1, 1960	2,500,000
July 1, 1961	2,500,000
July 1, 1962	2,500,000
July 1, 1963	2,500,000
July 1, 1964	2,500,000
July 1, 1965	2,500,000
July 1, 1966	2,500,000
July 1, 1967	2,500,000
July 1, 1968	2,500,000
July 1, 1969	2,500,000
July 1, 1970	2,500,000
July 1, 1971	2,500,000
July 1, 1972	2,500,000
July 1, 1973	2,500,000
July 1, 1974	2,500,000
July 1, 1975	2,500,000
July 1, 1976	1,500,000
July 1, 1977	1,500,000
July 1, 1978	1,500,000
July 1, 1979	1,500,000
July 1, 1980	1,500,000
July 1, 1981	1,500,000
July 1, 1982	1,000,000

However, in the event the United Nations does not request the entire sum of \$65,000,000 available to it under this

Agreement, the amount to be repaid under this paragraph will not exceed the aggregate amount advanced by the United States. All amounts payable to the United States under this paragraph will be paid, out of the ordinary budget of the United Nations, to the Secretary of State of the United States in currency of the United States which is legal tender for public debts on the date such payments are made. All sums repaid to the United States will be receipted for on behalf of the United States by the Secretary of State.

(5) The United Nations may at any time make repayments to the United States of funds advanced hereunder in excess of the annual installments as provided in paragraph (4) hereof.

(6) The United Nations agrees that, in order to give full effect to Section 22 (a) of the Agreement regarding the Headquarters of the United Nations referred to in paragraph (1) above (under which the United Nations shall not dispose of all or any part of the land owned by it in the headquarters district without the consent of the United States), it will not, without the consent of the United States, while any of the indebtedness incurred hereunder is outstanding and unpaid, create any mortgage lien or other encumbrance on or against any of its real property in the headquarters district as defined in said Agreement. The United Nations also agrees that the United States, as a condition to giving its consent to any such disposition or encumbrance, may require the simultaneous repayment of the balance of all installments remaining unpaid hereunder.

(7) The effective date of this Agreement shall be the date on which the Government of the United States notifies the United Nations that the Congress of the United States, with the approval of the President, has made available the funds necessary to be advanced in accordance with the provisions of this Agreement.

IN WITNESS WHEREOF, the Government of the United States of America, acting by and through the United States Representative to the United Nations, and the United Nations, acting by and through the Secretary-General, have respectively caused this Agreement to be duly signed in duplicate at Lake Success, New York, on this 23rd day of March, 1948.

For the Government of the United States of America:
WARREN R. AUSTIN,

United States Representative to the United Nations
For the United Nations:

TRYGVE LIE,
Secretary-General

SEC. 2. Sums advanced to the United Nations in accordance with the provisions of paragraph (2) of the aforesaid loan agreement shall be disbursed by the United Nations for the purposes for which such sums were advanced within ninety days after their receipt from the United States. Any funds not so disbursed within that period shall be returned to the United States through the Secretary of State within thirty days thereafter.

SEC. 3. So long as the headquarters district is used as the seat of the United Nations, nothing in this resolution

shall be deemed to limit the control and authority of the United Nations over such district as exercised pursuant to Public Law 357, Eightieth Congress: *Provided, however*, That in the event such district is, for whatever reason, no longer used as the seat of the United Nations, the United States shall, in addition to any rights it enjoys under paragraph (6) of the aforesaid loan agreement and section 22 of the Headquarters Agreement (Public Law 357, Eightieth Congress), be entitled to recover from the land and buildings in the headquarters district, in advance of all other creditors of the United Nations, any indebtedness incurred under the loan agreement which is then outstanding and unpaid.

SEC. 4. (a) There is hereby authorized to be appropriated to the Department of State, out of any money in the Treasury not otherwise appropriated, the sum of \$65,000,000 to accomplish the purposes of this joint resolution. Amounts received in repayment of such loan shall

be deposited and covered into the Treasury of the United States as miscellaneous receipts.

(b) Notwithstanding the provisions of any other law, the Reconstruction Finance Corporation is authorized to direct until such time as an appropriation shall be made pursuant to subsection (a) of this section to make advances not to exceed in the aggregate \$25,000,000 to carry out the provisions of this joint resolution and of the agreement referred to in section 1 in such manner and in such amounts, as the President shall determine. No interest shall be charged on advances made by the Treasury to the Reconstruction Finance Corporation for this purpose. The Reconstruction Finance Corporation shall be repaid without interest, for advances made hereunder from funds made available for the purpose of this joint resolution and of the loan agreement set forth in section 1.

Approved August 11, 1948.

II. Strengthening the Role of the United States in International Organization

Public Law 264, 79th Congress, 1st Session

An Act To provide for the appointment of representatives of the United States in the organs and agencies of the United Nations, and to make other provision with respect to the participation of the United States in such organization.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "United Nations Participation Act of 1945".

SEC. 2. (a) The President, by and with the advice and consent of the Senate, shall appoint a representative of the United States at the seat of the United Nations who shall have the rank and status of envoy extraordinary and ambassador plenipotentiary, shall receive annual compensation of \$20,000, and shall hold office at the pleasure of the President. Such representative shall represent the United States in the Security Council of the United Nations and shall perform such other functions in connection with the participation of the United States in the United Nations as the President may from time to time direct.

(b) The President, by and with the advice and consent of the Senate, shall appoint a deputy representative of the United States to the Security Council who shall have the rank and status of envoy extraordinary and minister plenipotentiary, shall receive annual compensation of \$12,000, and shall hold office at the pleasure of the President. Such deputy representative shall represent the United States in the Security Council of the United Nations in the event of the absence or disability of the representative.

(c) The President, by and with the advice and consent of the Senate, shall designate from time to time to attend a specified session or specified sessions of the General Assembly of the United Nations not to exceed five representatives of the United States and such number of alternates as he may determine consistent with the rules of procedure of the General Assembly. One of the representatives shall be designated as the senior representative. Such representatives and alternates shall each be entitled to receive compensation at the rate of \$12,000 per annum

for such period as the President may specify, except that no member of the Senate or House of Representatives or officer of the United States who is designated under subsection (a) as a representative of the United States shall be an alternate to attend any specified session or specified sessions of the General Assembly shall be entitled to receive such compensation.

(d) The President may also appoint from time to time such other persons as he may deem necessary to represent the United States in the organs and agencies of the United Nations at such salaries, not to exceed \$12,000 each per annum, as he shall determine, but the representative of the United States in the Economic and Social Council, in the Trusteeship Council of the United Nations shall be appointed only by and with the advice and consent of the Senate, except that the President may, without the advice and consent of the Senate, designate any officer of the United States to act, without additional compensation, as the representative of the United States in either the Security Council (A) at any specified meeting thereof in the absence or disability of the regular representative, or in connection with a specified subject matter at any specified meeting of either such Council in lieu of the regular representative. The advice and consent of the Senate shall also be required for the appointment by the President of the representative of the United States in any commission that may be formed by the United Nations with respect to atomic energy or in any other commission of the United Nations to which the United States is entitled to appoint a representative.

(e) Nothing contained in this section shall preclude the President or the Secretary of State, at the direction of the President, from representing the United States at any meeting or session of any organ or agency of the United Nations.

SEC. 3. The representatives provided for in section 2 hereof, when representing the United States in the respective organs and agencies of the United Nations, shall, at all times, act in accordance with the instructions of the President transmitted by the Secretary of State unless o

of transmission is directed by the President, and representatives shall, in accordance with such instructions, cast any and all votes under the Charter of the United Nations.

4. The President shall, from time to time as occasion may require, but not less than once each year, make reports to the Congress of the activities of the United Nations and of the participation of the United States therein. He shall make special current reports on decisions of the Security Council to take enforcement measures under the Charter of the United Nations, and on participation therein under his instructions, of the representative of the United States.

5. (a) Notwithstanding the provisions of any other law, whenever the United States is called upon by the Security Council to apply measures which said Council has decided, pursuant to article 41 of said Charter, are to be employed to give effect to its decisions under said Charter, the President may, to the extent necessary to apply such measures, through any agency which he may designate and under such orders, rules, and regulations as may be prescribed by him, investigate, regulate, or prohibit, in whole or in part, economic relations or rail, sea, air, postal, telegraphic, radio, and other means of communication between any foreign country or any national thereof or any person therein and the United States or any person subject to the jurisdiction thereof, or involving any property subject to the jurisdiction of the United States.

Any person who willfully violates or evades or attempts to violate or evade any order, rule, or regulation issued by the President pursuant to paragraph (a) of this section shall, upon conviction, be fined not more than \$10,000, or, if a natural person, be imprisoned for not more than ten years, or both; and the officer, director, or agent of any corporation who knowingly participates in such violation or evasion shall be punished by a like fine, imprisonment, or both, and any property, funds, securities, or other articles or documents, or any vessel, together with her tackle, apparel, furniture, and equipment, and any vehicle, concerned in such violation shall be forfeited to the United States.

6. The President is authorized to negotiate a special agreement or agreements with the Security Council which shall be subject to the approval of the Congress by appropriate Act or joint resolution, providing for the numbers and types of armed forces, their degree of readiness and general location, and the nature of facilities and services, including rights of passage, to be made available to the Security Council on its call for the purpose of maintaining international peace and security in accordance with article 43 of said Charter. The President shall be deemed to require the authorization of the Congress to make available to the Security Council on its call for action to take action under article 42 of said Charter pursuant to such special agreement or agreements for the use of armed forces, facilities, or assistance provided for in: *Provided*, That nothing herein contained shall be construed as an authorization to the President by the Congress to make available to the Security Council for the purpose armed forces, facilities, or assistance in

addition to the forces, facilities, and assistance provided for in such special agreement or agreements.

SEC. 7. There is hereby authorized to be appropriated annually to the Department of State, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for the payment by the United States of its share of the expenses of the United Nations as apportioned by the General Assembly in accordance with article 17 of the Charter, and for all necessary salaries and expenses of the representatives provided for in section 2 hereof, and of their appropriate staffs, including personal services in the District of Columbia and elsewhere, without regard to the civil-service and classification laws; travel expenses without regard to the Standardized Government Travel Regulations, as amended, the Subsistence Expense Act of 1926, as amended, and section 10 of the Act of March 3, 1933, and, under such rules and regulations as the Secretary of State may prescribe, travel expenses of families and transportation of effects of United States representatives and other personnel in going to and returning from their post of duty; allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (5 U.S.C. 118a); cost of living allowance under such rules and regulations as the Secretary of State may prescribe; communication services; stenographic reporting, translating, and other services, by contract, if deemed necessary, without regard to section 3709 of the Revised Statutes (41 U.S.C. 5); local transportation; equipment; transportation of things; rent of offices; printing and binding; official entertainment; stationery; purchase of newspapers, periodicals, books, and documents; and such other expenses as may be authorized by the Secretary of State.

Approved December 20, 1945.

Executive Order 9844⁹

DESIGNATING THE UNITED STATES MISSION TO THE UNITED NATIONS AND PROVIDING FOR ITS DIRECTION AND ADMINISTRATION

By virtue of and pursuant to the authority vested in me by the United Nations Participation Act of 1945 (59 Stat. 619) and as President of the United States, and for the purpose of defining further the functions of the Representative of the United States at the seat of the United Nations in connection with the participation of the United States in the United Nations, it is hereby ordered as follows:

1. The Representative at the seat of the United Nations, the Deputy Representative to the Security Council, Representatives in the Economic and Social Council and its Commissions, the Trusteeship Council, the Atomic Energy Commission, the Commission for Conventional Armaments and the Military Staff Committee, and representatives to organs and agencies of the United Nations hereafter appointed or designated and included within the United States Mission to the United Nations herein provided for, together with their deputies, staffs and offices, shall be known as the United States Mission to the United Nations.

⁹ 12 Fed. Reg. 2765.

2. The Representative of the United States at the seat of the United Nations shall be the Chief of Mission in charge of the United States Mission to the United Nations. The Chief of Mission shall coordinate at the seat of the United Nations the activities of the Mission in carrying out the instructions of the President transmitted either by the Secretary of State or by other means of transmission as directed by the President. Instructions to the Representatives of the Joint Chiefs of Staff in the Military Staff Committee of the United Nations shall be transmitted by the Joint Chiefs of Staff. On request of the Chief of Mission, such Representatives shall, in addition to their responsibilities under the Charter of the United Nations, serve as advisers in the United States Mission to the United Nations.

3. The Chief of Mission shall also be responsible for the administration of the Mission, including personnel, budget, obligation and expenditure of funds, and the central administrative services; provided that he shall not be responsible for the internal administration of the personnel, budget, and obligation and expenditure of funds of the United States Representatives in the Military Staff Committee. The Chief of Mission shall discharge his responsibilities under this paragraph in accordance with such rules and regulations as the Secretary of State may from time to time prescribe.

4. This order shall be published in the *Federal Register*.

HARRY S. TRUMAN

THE WHITE HOUSE,
April 28, 1947.

Senate Resolution 239, 80th Congress, 2d Session

Whereas peace with justice and the defense of human rights and fundamental freedoms require international cooperation through more effective use of the United Nations: Therefore be it

Resolved, That the Senate reaffirm the policy of the United States to achieve international peace and security through the United Nations so that armed force shall not be used except in the common interest, and that the President be advised of the sense of the Senate that this Government, by constitutional process, should particularly pursue the following objectives within the United Nations Charter:

(1) Voluntary agreement to remove the veto from all questions involving pacific settlements of international disputes and situations, and from the admission of new members.

(2) Progressive development of regional and other collective arrangements for individual and collective self-defense in accordance with the purposes, principles, and provisions of the Charter.

(3) Association of the United States, by constitutional process, with such regional and other collective arrangements as are based on continuous and effective self-help and mutual aid, and as affect its national security.

(4) Contributing to the maintenance of peace by making

¹⁰ 11 *Fed. Reg.* 5209.

clear its determination to exercise the right of individual or collective self-defense under article 51 should any attack occur affecting its national security.

(5) Maximum efforts to obtain agreements to prohibit the United Nations with armed forces as provided in the Charter, and to obtain agreement among member States upon universal regulation and reduction of armaments under adequate and dependable guaranty against violation.

(6) If necessary, after adequate effort toward strengthening the United Nations, review of the Charter at appropriate time by a General Conference called in accordance with article 109 or by the General Assembly.

—June 11, 1947

Executive Order 9721¹⁰

PROVIDING FOR THE TRANSFER OF PERSONNEL TO PUBLIC INTERNATIONAL ORGANIZATIONS IN WHICH THE UNITED STATES GOVERNMENT PARTICIPATES

By virtue of the authority vested in me by the War Relocation Service Act (22 Stat. 403) and section 1753 of the Revised Statutes, and as President of the United States, hereby ordered as follows:

1. Upon the request of any public international organization which is designated pursuant to the act of December 29, 1945 (Public Law 291, 79th Congress), and in which the United States Government participates, and with the consent of the head of the department or agency concerned, any civilian employee of a department or agency in the Executive branch of the Federal Government who is serving under an appointment not limited to one year may be transferred to such public international organization.

2. Any employee serving under a war-service independent appointment who is transferred pursuant to this order, and, while serving in such public international organization, is either reached in regular order for probationary appointment from a civil-service register appropriate to the position in which he was serving or could, with the approval of the head of such agency, have been given a classified civil-service status under section 6 of Executive Order No. 9691 of February 4, 1946, if he had remained in the position in which he last served in a Federal agency, shall be considered as having acquired a classified civil-service status as of the date he is reached for probationary appointment or classification: *Provided*, That if this section shall become inoperative three years from the date of this order.

3. (a) An employee (1) who is transferred to a public international organization under this order, (2) who has a classified civil-service status at the time of transfer, and (3) who acquires such status under section 2 of this order, and whose service in such public international organization is subsequently terminated without prejudice within three years from the date of such transfer shall be reemployed within thirty days of his application for reemployment in his former position or a position of like seniority, status, and pay in the department or agency from which he was transferred: *Provided*, That he is still qualified to perform the duties of such position and makes application therefor.

employment within ninety days after termination of his service with the international organization.

Whenever the agency from which the employee is transferred under this order decides to fill the vacancy during his absence, the appointment shall be made on a temporary basis pending the return of the employee.

With the consent of the Federal agency in which he was formerly employed, the provisions of this Executive Order may be made applicable to any person now serving in a public international organization which is designated pursuant to the said act of December 29, 1945, and in which the United States Government participates.

The Civil Service Commission is authorized to prepare such rules and regulations as may be necessary to carry out the provisions of this order.

HARRY S. TRUMAN

THE WHITE HOUSE,
May 10, 1946.

Public Law 171, 79th Congress, 1st Session

Act To provide for the participation of the United States in the International Monetary Fund and the International Bank for Reconstruction and Development.

As it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Short Title

SECTION 1. This Act may be cited as the "Bretton Woods Agreements Act".

Acceptance of Membership

SEC. 2. The President is hereby authorized to accept membership for the United States in the International Monetary Fund (hereinafter referred to as the "Fund"), in the International Bank for Reconstruction and Development (hereinafter referred to as the "Bank"), provided for by the Articles of Agreement of the Fund and the Articles of Agreement of the Bank as set forth in the Final Act of the United Nations Monetary and Financial Conference dated July 22, 1944, and deposited in the archives of the Department of State.

Appointment of Governors, Executive Directors, and Alternates

SEC. 3. (a) The President, by and with the advice and consent of the Senate, shall appoint a governor of the Fund and who shall also serve as a governor of the Bank, an executive director of the Fund and an executive director of the Bank. The executive directors so appointed shall also serve as provisional executive directors of the Fund and the Bank for the purposes of the respective Articles of Agreement. The term of office for the governor of the Fund and of the Bank shall be five years. The term of office for the executive directors shall be two years, but the executive directors shall remain in office until their successors have been appointed.

(b) The President, by and with the advice and consent of the Senate, shall appoint an alternate for the governor of the Fund who shall also serve as alternate for the

governor of the Bank. The President, by and with the advice and consent of the Senate, shall appoint an alternate for each of the executive directors. The alternate for each executive director shall be appointed from among individuals recommended to the President by the executive director. The terms of office for alternates for the governor and the executive directors shall be the same as the terms specified in subsection (a) for the governor and executive directors.

(c) No person shall be entitled to receive any salary or other compensation from the United States for services as a governor, executive director, or alternate.

National Advisory Council on International Monetary and Financial Problems

SEC. 4. (a) In order to coordinate the policies and operations of the representatives of the United States on the Fund and the Bank and of all agencies of the Government which make or participate in making foreign loans or which engage in foreign financial, exchange or monetary transactions, there is hereby established the National Advisory Council on International Monetary and Financial Problems (hereinafter referred to as the "Council"), consisting of the Secretary of the Treasury, as Chairman, the Secretary of State, the Secretary of Commerce, the Chairman of the Board of Governors of the Federal Reserve System, and the Chairman of the Board of Trustees of the Export-Import Bank of Washington.

(b) (1) The Council, after consultation with the representatives of the United States on the Fund and the Bank, shall recommend to the President general policy directives for the guidance of the representatives of the United States on the Fund and the Bank.

(2) The Council shall advise and consult with the President and the representatives of the United States on the Fund and the Bank on major problems arising in the administration of the Fund and the Bank.

(3) The Council shall coordinate, by consultation or otherwise, so far as is practicable, the policies and operations of the representatives of the United States on the Fund and the Bank, the Export-Import Bank of Washington and all other agencies of the Government to the extent that they make or participate in the making of foreign loans or engage in foreign financial, exchange or monetary transactions.

(4) Whenever, under the Articles of Agreement of the Fund or the Articles of Agreement of the Bank, the approval, consent or agreement of the United States is required before an act may be done by the respective institutions, the decision as to whether such approval, consent, or agreement, shall be given or refused shall (to the extent such decision is not prohibited by section 5 of this Act) be made by the Council, under the general direction of the President. No governor, executive director, or alternate representing the United States shall vote in favor of any waiver of condition under article V, section 4, or in favor of any declaration of the United States dollar as a scarce currency under article VII, section 3, of the Articles of Agreement of the Fund, without prior approval of the Council.

(5) The Council from time to time, but not less fre-

quently than every six months, shall transmit to the President and to the Congress a report with respect to the participation of the United States in the Fund and the Bank.

(6) The Council shall also transmit to the President and to the Congress special reports on the operations and policies of the Fund and the Bank, as provided in this paragraph. The first report shall be made not later than two years after the establishment of the Fund and the Bank, and a report shall be made every two years after the making of the first report. Each such report shall cover and include: The extent to which the Fund and the Bank have achieved the purposes for which they were established; the extent to which the operations and policies of the Fund and the Bank have adhered to, or departed from, the general policy directives formulated by the Council, and the Council's recommendations in connection therewith; the extent to which the operations and policies of the Fund and the Bank have been coordinated, and the Council's recommendations in connection therewith; recommendations on whether the resources of the Fund and the Bank should be increased or decreased; recommendations as to how the Fund and the Bank may be made more effective; recommendations on any other necessary or desirable changes in the Articles of Agreement of the Fund and of the Bank or in this Act; and an over-all appraisal of the extent to which the operations and policies of the Fund and the Bank have served, and in the future may be expected to serve, the interests of the United States and the world in promoting sound international economic cooperation and furthering world security.

(7) The Council shall make such reports and recommendations to the President as he may from time to time request, or as the Council may consider necessary to more effectively or efficiently accomplish the purposes of this Act or the purposes for which the Council is created.

(c) The representatives of the United States on the Fund and the Bank, and the Export-Import Bank of Washington (and all other agencies of the Government to the extent that they make or participate in the making of foreign loans or engage in foreign financial, exchange or monetary transactions) shall keep the Council fully informed of their activities and shall provide the Council with such further information or data in their possession as the Council may deem necessary to the appropriate discharge of its responsibilities under this Act.

Certain Acts Not To Be Taken Without Authorization

SEC. 5. Unless Congress by law authorizes such action, neither the President nor any person or agency shall on behalf of the United States (a) request or consent to any change in the quota of the United States under article III, section 2, of the Articles of Agreement of the Fund; (b) propose or agree to any change in the par value of the United States dollar under article IV, section 5, or article XX, section 4, of the Articles of Agreement of the Fund, or approve any general change in par values under article IV, section 7; (c) subscribe to additional shares of stock under article II, section 3, of the Articles of Agreement of the Bank; (d) accept any amendment

under article XVII of the Articles of Agreement of the Fund or article VIII of the Articles of Agreement of the Bank; (e) make any loan to the Fund or the Bank; unless Congress by law authorizes such action, no person or alternate appointed to represent the United States shall vote for an increase of capital stock of the Fund under article II, section 2, of the Articles of Agreement of the Bank.

Depositories

SEC. 6. Any Federal Reserve bank which is required to do so by the Fund or the Bank shall act as a depository or as its fiscal agent, and the Board of Governors of the Federal Reserve System shall supervise and control the carrying out of these functions by the Federal Reserve banks.

Payment of Subscriptions

SEC. 7. (a) Subsection (c) of section 10 of the Federal Reserve Act of 1934, as amended (U. S. C., title 38, 822a), is amended to read as follows:

"(c) The Secretary of the Treasury is directed to pay out of the fund established in this section \$1,800,000,000 of the subscription of the United States to the International Monetary Fund; and any repayment of the subscription shall be covered into the Treasury as a miscellaneous receipt."

(b) The Secretary of the Treasury is authorized to use the balance of \$950,000,000 of the subscription of the United States to the Fund not provided for in subsection (a) and to pay the subscription of the United States to the Bank from time to time when payments are required to be made to the Bank. For the purpose of making such payments, the Secretary of the Treasury is authorized to use as a public-debt transaction not to exceed \$400,000,000 of the proceeds of any securities hereafter issued under the Second Liberty Bond Act, as amended, for the purposes for which securities may be issued under that Act are extended to include such purpose. Payments under this subsection of the subscription of the United States to the Fund or the Bank and repayments of the subscription shall be treated as a public-debt transaction of the United States.

(c) For the purpose of keeping to a minimum the subscription of the United States to the Fund and the Bank, the Secretary of the Treasury, after paying the subscription of the United States to the Fund, may use any part of the subscription of the United States to the Bank required to be made under article II, section 7, of the Articles of Agreement of the Bank, is authorized and directed to issue special notes of the United States from time to time at par and to deliver such notes to the Fund and the Bank in exchange for dollars to the extent permitted by the respective Articles of Agreement. The special notes provided for in this subsection shall be issued under the authority and subject to the provisions of the Second Liberty Bond Act, as amended, and for the purposes for which securities may be issued under that Act are extended to include the purposes for which special notes are authorized and directed to be issued under this subsection, but such notes shall bear no interest, shall

negotiable, and shall be payable on demand of the Fund or the Bank, as the case may be. The face amount of special notes issued to the Fund under the authority of this subsection and outstanding at any one time shall not exceed in the aggregate the amount of the subscriptions of the United States actually paid to the Fund, and the face amount of such notes issued to the Bank and outstanding at any one time shall not exceed in the aggregate the amount of the subscription of the United States actually paid to the Bank under article II, section 2, of the Articles of Agreement of the Bank.

(1) Any payment made to the United States by the Fund or the Bank as a distribution of net income shall be covered into the Treasury as a miscellaneous receipt.

Obtaining and Furnishing Information

SEC. 8. (a) Whenever a request is made by the Fund of the United States as a member to furnish data under article VIII, section 5, of the Articles of Agreement of the Fund, the President may, through any agency he may designate, require any person to furnish such information as the President may determine to be essential to comply with such request. In making such determination the President shall seek to collect the information only in such detail as is necessary to comply with the request of the Fund. No information so acquired shall be furnished to the Fund in such detail that the affairs of any person are disclosed.

(b) In the event any person refuses to furnish such information when requested to do so, the President, through a designated governmental agency, may by subpoena require such person to appear and testify or to appear and produce records and other documents, or both. In case of contumacy by, or refusal to obey a subpoena served on any such person, the district court for any district in which such person is found or resides or transacts business, upon application by the President or any governmental agency designated by him, shall have jurisdiction to issue an order requiring such person to appear and give testimony or appear and produce records and documents, or both; and any failure to obey such order of the court may be punished by such court as a contempt thereof.

(c) It shall be unlawful for any officer or employee of the Government, or for any advisor or consultant to the Government, to disclose, otherwise than in the course of official duty, any information obtained under this section, or to use any such information for his personal benefit. Whoever violates any of the provisions of this section shall, upon conviction, be fined not more than \$10,000, or imprisoned for not more than five years, or both.

(d) The term "person" as used in this section means an individual, partnership, corporation or association.

Financial Transactions With Foreign Governments in Default

SEC. 9. The Act entitled "An Act to prohibit financial transactions with any foreign government in default on its obligations to the United States", approved April 13, 1944 (U. S. C., title 31, sec. 804a), is amended by adding at the end thereof a new section to read as follows:

"SEC. 3. While any foreign government is a member both of the International Monetary Fund and of the International Bank for Reconstruction and Development, this Act shall not apply to the sale or purchase of bonds, securities, or other obligations of such government or any political subdivision thereof or of any organization or association acting for or on behalf of such government or political subdivision, or to the making of any loan to such government, political subdivision, organization, or association."

Jurisdiction and Venue of Actions

SEC. 10. For the purpose of any action which may be brought within the United States or its Territories or possessions by or against the Fund or the Bank in accordance with the Articles of Agreement of the Fund or the Articles of Agreement of the Bank, the Fund or the Bank, as the case may be, shall be deemed to be an inhabitant of the Federal judicial district in which its principal office in the United States is located, and any such action at law or in equity to which either the Fund or the Bank shall be a party shall be deemed to arise under the laws of the United States, and the district courts of the United States shall have original jurisdiction of any such action. When either the Fund or the Bank is a defendant in any such action, it may, at any time before the trial thereof, remove such action from a State court into the district court of the United States for the proper district by following the procedure for removal of causes otherwise provided by law.

Status, Immunities and Privileges

SEC. 11. The provisions of article IX, sections 2 to 9, both inclusive, and the first sentence of article VIII, section 2 (b), of the Articles of Agreement of the Fund, and the provisions of article VI, section 5 (i), and article VII, sections 2 to 9, both inclusive, of the Articles of Agreement of the Bank, shall have full force and effect in the United States and its Territories and possessions upon acceptance of membership by the United States in, and the establishment of, the Fund and the Bank, respectively.

Stabilization Loans by the Bank

SEC. 12. The governor and executive director of the Bank appointed by the United States are hereby directed to obtain promptly an official interpretation by the Bank as to its authority to make or guarantee loans for programs of economic reconstruction and the reconstruction of monetary systems, including long-term stabilization loans. If the Bank does not interpret its powers to include the making or guaranteeing of such loans, the governor of the Bank representing the United States is hereby directed to propose promptly and support an amendment to the Articles of Agreement for the purpose of explicitly authorizing the Bank, after consultation with the Fund, to make or guarantee such loans. The President is hereby authorized and directed to accept an amendment to that effect on behalf of the United States.

Stabilization Operations by the Fund

SEC. 13. (a) The governor and executive director of the Fund appointed by the United States are hereby directed

to obtain promptly an official interpretation by the Fund as to whether its authority to use its resources extends beyond current monetary stabilization operations to afford temporary assistance to members in connection with seasonal, cyclical, and emergency fluctuations in the balance of payments of any member for current transactions, and whether it has authority to use its resources to provide facilities for relief, reconstruction, or armaments, or to meet a large or sustained outflow of capital on the part of any member.

(b) If the interpretation by the Fund answers in the affirmative any of the questions stated in subsection (a), the governor of the Fund representing the United States is hereby directed to propose promptly and support an amendment to the Articles of Agreement for the purpose of expressly negating such interpretation. The President is hereby authorized and directed to accept an amendment to that effect on behalf of the United States.

Further Promotion of International Economic Relations

SEC. 14. In the realization that additional measures of international economic cooperation are necessary to facilitate the expansion and balanced growth of international trade and render most effective the operations of the Fund and the Bank, it is hereby declared to be the policy of the United States to seek to bring about further agreement and cooperation among nations and international bodies, as soon as possible, on ways and means which will best reduce obstacles to and restrictions upon international trade, eliminate unfair trade practices, promote mutually advantageous commercial relations, and otherwise facilitate the expansion and balanced growth of international trade and promote the stability of international economic relations. In considering the policies of the United States in foreign lending and the policies of the Fund and the Bank, particularly in conducting exchange transactions, the Council and the United States representatives on the Fund and the Bank shall give careful consideration to the progress which has been made in achieving such agreement and cooperation.

Approved July 31, 1945.

Public Law 174, 79th Congress, 1st Session

Joint Resolution Providing for membership of the United States in the Food and Agriculture Organization of the United Nations.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to accept membership for the United States in the Food and Agriculture Organization of the United Nations (hereinafter referred to as the "Organization") the Constitution of which is set forth in appendix I of the First Report to the Governments of the United Nations by the Interim Commission on Food and Agriculture, dated August 1, 1944.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sum not exceeding \$625,000 during the first fiscal year of the Organization and sums not exceeding \$1,250,000 annually thereafter as may be required for expenditure under the direction of the Secretary of State,

for the payment by the United States of its proportionate share in the expenses of the Organization.

SEC. 3. In adopting this joint resolution, it is the sense of the Congress that the Government of the United States should use its best efforts to bring about, as soon as practicable, the integration of the functions and the resources of the International Institute of Agriculture with those of the Organization, in a legal and orderly manner to effect one united institution in such form as to provide an adequate research, informational, and statistical service for the industry of agriculture.

SEC. 4. Unless Congress by law authorizes such action, neither the President nor any person or agency shall on behalf of the United States accept any amendment to paragraph 1 of article XX of the Constitution of the Organization involving any new obligation for the United States.

SEC. 5. In adopting this joint resolution the Congress does so with the understanding that paragraph 2 of article XIII does not authorize the Conference of the Organization to so modify the provisions of its Constitution as to involve any new obligation for the United States.

Approved July 31, 1945.

Public Law 565, 79th Congress, 2d Session

Joint Resolution Providing for membership and participation of the United States in the United Nations Educational, Scientific, and Cultural Organization, and authorizing appropriation therefor.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to accept membership for the United States in the United Nations Educational, Scientific, and Cultural Organization (hereinafter referred to as the "Organization"), the constitution of which was approved in London on November 16, 1945, by the United Nations Conference for the Establishment of an Educational, Scientific, and Cultural Organization, and deposited in the Archives of the Government of the United Kingdom.

SEC. 2. The President by and with the consent of the Senate shall designate from time to time to attend specified session or specified sessions of the General Conference of the Organization not to exceed five representatives of the United States and such number of alternates not to exceed five as he may determine consistent with the rules of procedure of the General Conference: *Provided, however,* That each such representative and each such alternate must be an American citizen. One of the representatives shall be designated as the senior representative. Such representatives and alternates shall each be entitled to receive compensation at such rate not to exceed \$12,000 per annum, as the President may determine, for such periods as the President may specify except that no Member of the Senate or House of Representatives or officer of the United States who is designated under this section as a representative of the United States or as an alternate to attend any specified session or specified sessions of the General Conference shall be entitled to receive such compensation. Whenever a representative of the United States is elected to the General Conference to serve on the Executive Board

selected President of the General Conference and thus becomes an ex officio adviser to the Executive Board, and by the provision of article V of the constitution of the Organization, the President may extend the above provisions for compensation to such representative during periods of service in connection with the Executive Board.

SEC. 3. In fulfillment of article VII of the constitution of the Organization, the Secretary of State shall cause to be organized a National Commission on Educational, Scientific, and Cultural Cooperation of not to exceed one hundred members. Such Commission shall be appointed by the Secretary of State and shall consist of (a) not more than sixty representatives of principal national, State, and territorial organizations interested in educational, scientific, and cultural matters; and (b) not more than twenty outstanding persons selected by the Secretary of State, including not more than ten persons holding office or employed by the Government of the United States, not more than fifteen representatives of the educational, scientific, and cultural interests of State and territorial governments, and not more than fifteen persons chosen at large. The Secretary of State is authorized to invite in the first instance fifty of the principal national, State, and territorial organizations, each of which shall be invited to designate one representative for appointment to the National Commission. Thereafter, the National Commission shall periodically review and, if deemed advisable, revise the list of such organizations designating representatives in order to achieve a desirable rotation among organizations represented. To constitute the initial Commission, one-third of the members shall be appointed to serve for a term of one year, one-third for a term of two years, and one-third or the remainder thereof for a term of three years; from thence on following, all members shall be appointed for a term of three years each, and no member shall serve more than two consecutive terms. The National Commission shall meet at least once annually. The National Commission shall designate from among its members an executive committee, and may designate such other committees as may prove necessary, to consult with the Department of State and to perform such other functions as the National Commission shall delegate to them. No member of the National Commission shall be allowed any salary or other compensation for services: *Provided, however*, That he may be paid his actual transportation expenses, and not to exceed \$10 per diem in lieu of subsistence and other expenses, while away from his home in attendance upon authorized meetings or in consultation on request with the Department of State. The Department of State is authorized to provide the necessary secretariat for the Commission.

SEC. 4. That each such member of the National Commission must be an American citizen.

SEC. 5. The National Commission shall call general conferences for the discussion of matters relating to the activities of the Organization, to which conferences organized bodies actively interested in such matters shall be invited to send representatives: *Provided, however*, That the travel and maintenance of such representation shall be without expense to the Government. Such general conferences shall be held annually or biennially, as the Na-

tional Commission may determine, and in such places as it may designate. They shall be attended so far as possible by the members of the National Commission and by the delegates of the United States to the General Conference of the Organization. The National Commission is further authorized to call special conferences of experts for the consideration of specific matters relating to the Organization by persons of specialized competences. Under such regulations as the Secretary of State may prescribe, the actual transportation expenses of experts attending such conferences shall be borne by the Department of State, and they shall be allowed a per diem of \$10 in lieu of subsistence and other expenses, for the period of actual attendance and of necessary travel.

SEC. 6. There is hereby authorized to be appropriated annually to the Department of State, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for the payment by the United States of its share of the expenses of the Organization as apportioned by the General Conference of the Organization in accordance with article IX of the constitution of the Organization, and such additional sums as may be necessary to pay the expenses of participation by the United States in the activities of the Organization, including: (a) salaries of the representatives provided for in section 2 hereof, of their appropriate staffs, and of members of the secretariat of the National Commission provided for in section 3 hereof, including personal services in the District of Columbia and elsewhere, without regard to the civil-service laws and the Classification Act of 1923, as amended; (b) travel expenses without regard to the Standardized Government Travel Regulations, as amended, the Subsistence Expense Act of 1926, as amended, and section 10 of the Act of March 3, 1933 (U.S.C., title 5, sec. 73b), and, under such rules and regulations as the Secretary of State may prescribe, travel expenses of families and transportation of effects of United States representatives and other personnel in going to and returning from their post of duty; (c) allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U.S.C., title 5, sec. 118a); (d) cost of living allowances under such rules and regulations as the Secretary of State may prescribe, including allowances to persons temporarily stationed abroad; (e) communication services; (f) stenographic reporting, translating, and other services, by contract, if deemed necessary, without regard to section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5); (g) local transportation; (h) equipment; (i) transportation of things; (j) rent of offices; (k) printing and binding without regard to section 11 of the Act of March 1, 1919 (U.S.C., title 44, sec. 111), and section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5); (l) official entertainment; (m) stationery; (n) purchase of newspapers, periodicals, books, and documents; and (o) such other expenses as may be authorized by the Secretary of State.

SEC. 7. Unless Congress by law authorizes such action, neither the President nor any person or agency shall on behalf of the United States approve any amendment under

article XIII of the constitution of the Organization involving any new obligation for the United States.

SEC. 8. In adopting this joint resolution, it is the understanding of the Congress that the constitution of the Organization does not require, nor does this resolution authorize, the disclosure of any information or knowledge in any case in which such disclosure is prohibited by any law of the United States.

Approved July 30, 1946.

Public Law 146, 80th Congress, 1st Session

Joint Resolution Providing for membership and participation by the United States in the International Refugee Organization and authorizing an appropriation therefor.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to accept membership for the United States in the International Refugee Organization (hereinafter referred to as the "Organization"), the constitution of which was approved in New York on December 15, 1946, by the General Assembly of the United Nations, and deposited in the archives of the United Nations: *Provided, however,* That this authority is granted and the approval of the Congress of the acceptance of membership of the United States in the International Refugee Organization is given upon condition and with the reservation that no agreement shall be concluded on behalf of the United States and no action shall be taken by any officer, agency, or any other person and acceptance of the constitution of the Organization by or on behalf of the Government of the United States shall not constitute or authorize action (1) whereby any person shall be admitted to or settled or resettled in the United States or any of its Territories or possessions without prior approval thereof by the Congress, and this joint resolution shall not be construed as such prior approval, or (2) which will have the effect of abrogating, suspending, modifying, adding to, or superseding any of the immigration laws or any other laws of the United States.

SEC. 2. The President shall designate from time to time a representative of the United States and not to exceed two alternates to attend a specified session or specified sessions of the general council of the Organization. Whenever the United States is elected to membership on the executive committee, the President shall designate from time to time, either from among the aforesaid representative and alternates or otherwise, a representative of the United States and not to exceed one alternate to attend sessions of the executive committee. Such representative or representatives shall each be entitled to receive compensation at a rate not to exceed \$12,000 per annum, and any such alternate shall be entitled to receive compensation at a rate not to exceed \$10,000 per annum, for such period or periods as the President may specify, except that no Member of the Senate or House of Representatives or officer of the United States who is designated as such a representative shall be entitled to receive such compensation.

SEC. 3. There is hereby authorized to be appropriated annually to the Department of State—

(a) such sums, not to exceed \$73,325,000 for the year beginning July 1, 1947, as may be necessary for the payment of United States contributions to the Organization (consisting of supplies, services, or funds and necessary expenses related thereto) as determined in accordance with article 10 of the constitution of the Organization; and

(b) such sums, not to exceed \$175,000 for the fiscal year beginning July 1, 1947, as may be necessary for the maintenance of—

(1) salaries of the representative or representatives and alternates provided for in section 2 hereof, and appropriate staff, including personal services in the District of Columbia and elsewhere, without regard to the civil service laws and the Classification Act of 1923, as amended; and

(2) such other expenses as the Secretary of State may determine to be necessary to participation by the United States in the activities of the Organization: *Provided,* That the provisions of section 7 of the United Nations Participation Act of 1945, and regulations thereunder, applicable to expenses incurred pursuant to that Act shall be applicable to any expenses incurred pursuant to this paragraph (b) (2).

SEC. 4. (a) Sums from the appropriations made pursuant to paragraph (a) of section 3 may be transferred to any department, agency, or independent establishment of the Government to carry out the purposes of this paragraph, and such sums shall be available for obligation and expenditure in accordance with the laws governing obligations and expenditures of the department, agency, independent establishment, or organizational unit thereof concerned, and without regard to sections 3641 and 3648 of the Revised Statutes, as amended (U.S.C. 1940 edition, title 41, sec. 5, and title 31, sec. 529).

(b) Upon request of the Organization, any department, agency, or independent establishment of the Government (upon receipt of advancements or reimbursements for the cost and necessary expenses) may furnish supplies, and advancements are made may procure and furnish supplies, and may furnish or procure and furnish services to the Organization: *Provided,* That such additional civilian employees in the United States as may be required by any such department, agency, or independent establishment for the procurement or furnishing of supplies or services under this subsection, and for the services of whom such department, agency, or independent establishment is compensated by advancements or reimbursements made by the Organization, shall not be counted as civilian employees within the meaning of section 607 of the Federal Employees Pay Act of 1945, as amended by section 14 of the Federal Employees Pay Act of 1946. When reimbursement is made it shall be credited, at the option of the department, agency, or independent establishment concerned, either to the appropriation, fund, or account utilized in incurring the obligation, or to an appropriate appropriation fund, or account which is current at the time of such reimbursement.

SEC. 5. During the interim period, if any, between July 1, 1947, and the coming into force of the constitution of

Organization, the Secretary of State is authorized to make appropriations made pursuant to paragraph (a) of section 3, to make advance contributions to the Preparatory Commission for the International Refugee Organization, established pursuant to an agreement dated December 15, 1946, between the governments signatory to the Constitution of the Organization, at a rate of not to exceed one-twelfth per month of the United States contribution to the Organization contemplated by paragraph 4 of section 3 hereof. Such advance contributions to the said Preparatory Commission shall be deducted from the contribution to the Organization for the first fiscal year as provided in paragraph 6 of the said agreement. The provisions of paragraphs (a) and (b) of section 4 of this joint resolution shall be applicable, respectively, to such advance contributions and to the procurement and shipping of supplies and services to the said Preparatory Commission.

Approved July 1, 1947.

Public Law 643, 80th Congress, 2d Session

Joint Resolution Providing for membership and participation by the United States in the World Health Organization and authorizing an appropriation therefor.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to accept membership for the United States in the World Health Organization (hereinafter referred to as the Organization), the constitution of which was adopted in New York on July 22, 1946, by the International Health Conference for the establishment of an International Health Organization, and deposited in the archives of the United Nations.

SEC. 2. The President shall designate from time to time to attend a specified session or specified sessions of the World Health Assembly of the Organization not to exceed three delegates of the United States and such number of alternates as he may determine consistent with the rules of procedure of the World Health Assembly. One of the delegates shall be designated as the chief delegate. Whenever the United States becomes entitled to designate a person to serve on the Executive Board of the Organization, under article 24 of the constitution of the Organization, the President shall designate a representative of the United States, by and with the advice and consent of the Senate, and may designate not to exceed one alternate to attend sessions of the Executive Board. Each representative must be a graduate of a recognized medical school and have spent not less than three years in active practice as a physician or surgeon. Such representative shall be entitled to receive compensation at a rate not to exceed \$12,000 per annum and any such alternate shall be entitled to receive compensation at a rate not to exceed \$10,000 per annum for such period or periods as the President may specify, except that no member of the Senate or House of Representatives or officer of the United States who is thus designated shall be entitled to receive such compensation: *Provided*, That no person shall serve as such representative, delegate, or alternate until such person has been investigated as to

loyalty and security by the Federal Bureau of Investigation.

SEC. 3. There is hereby authorized to be appropriated annually to the Department of State—

(a) such sums, not to exceed \$1,920,000 per annum, as may be necessary for the payment by the United States of its share of the expenses of the Organization, including those incurred by the Interim Commission, as apportioned by the Health Assembly in accordance with Article 56 of the Constitution of the Organization; and

(b) such additional sums, not to exceed \$83,000 for the fiscal year beginning July 1, 1947, as may be necessary to pay the expenses incident to participation by the United States in the activities of the Organization, including—

(1) salaries of the representative and alternate provided for in section 2 hereof, and appropriate staff, including personal services in the District of Columbia and elsewhere, without regard to the civil-service laws and the Classification Act of 1923, as amended; services as authorized by section 15 of Public Law 600, Seventy-ninth Congress; under such rules and regulations as the Secretary of State may prescribe, allowances for living quarters, including heat, fuel, and light and cost of living allowances to persons temporarily stationed abroad; printing and binding without regard to section 11 of the Act of March 1, 1919 (44 U.S.C. 111), and section 3709 of the Revised Statutes, as amended; and

(2) such other expenses as the Secretary of State deems necessary to participation by the United States in the activities of the Organization: *Provided*, That the provisions of section 6 of the Act of July 30, 1946, Public Law 565, Seventy-ninth Congress, and regulations thereunder, applicable to expenses incurred pursuant to that Act shall be applicable to any expenses incurred pursuant to this paragraph (b) (2).

SEC. 4. In adopting this joint resolution the Congress does so with the understanding that, in the absence of any provision in the World Health Organization Constitution for withdrawal from the Organization, the United States reserves its right to withdraw from the Organization on a one-year notice: *Provided, however*, That the financial obligations of the United States to the Organization shall be met in full for the Organization's current fiscal year.

SEC. 5. In adopting this joint resolution, the Congress does so with the understanding that nothing in the Constitution of the World Health Organization in any manner commits the United States to enact any specific legislative program regarding any matters referred to in said Constitution.

Approved June 14, 1948.

Public Law 843, 80th Congress, 2d Session

Joint Resolution Providing for acceptance by the United States of America of the Constitution of the International Labor Organization Instrument of Amendment, and further authorizing an appropriation for payment of the United States share of the expenses of membership and for expenses of participation by the United States.

Whereas the Senate and House of Representatives by Public Resolution Numbered 43 of the Seventy-third

Congress authorized the President to accept membership for the Government of the United States of America in the International Labor Organization and the President, pursuant thereto, accepted such membership on August 20, 1934; and

Whereas such membership in the International Labor Organization has proved of benefit to the people of the United States; and

Whereas the International Labor Organization provides a unique international forum in which representatives of employers and workers join together with those of governments in formulating conventions and recommendations which serve as international minimum standards for labor and social legislation and administration within member countries; and

Whereas extensive revision of the constitution has been undertaken to enable the Organization to meet changed conditions, to strengthen the application of conventions and recommendations, with careful provision to meet the constitutional rules and practices of Federal States, and to operate as a specialized agency in relationship with the United Nations; and

Whereas the Constitution of the International Labor Organization Instrument of Amendment of 1946 was adopted unanimously on October 9, 1946, with the entire delegation of the United States to the Twenty-ninth Session of the International Labor Conference supporting this Instrument of Amendment: Therefore be it *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President is hereby authorized to accept for the Government of the United States of America the Constitution of the International Labor Organization Instrument of Amendment adopted by the Twenty-ninth Session of the International Labor Conference on October 9, 1946.

SEC. 2. There is hereby authorized to be appropriated annually to the Department of State—

(a) such sums, not to exceed \$1,091,739 per annum, as may be necessary for the payment by the United States of its share of the expenses of the Organization, as apportioned by the International Labour Conference in accordance with article 13 (c) of the constitution of the Organization; and

(b) such additional sums, not to exceed \$95,000 per annum, as may be necessary to pay the expenses incident to participation by the United States in the activities of the Organization, including—

(1) salaries of the representative or representatives and alternates and appropriate staff, including personal services in the District of Columbia and elsewhere, without regard to the civil-service laws and the Classification Act of 1923, as amended; services as authorized by section 15 of Public Law 600, Seventy-ninth Congress; under such rules and regulations as the Secretary of State may prescribe, allowances for living quarters, including heat, fuel, and light and cost-of-living allowances to persons temporarily stationed abroad; printing and binding without regard to section 11 of the Act of March 1, 1919 (44 U.S.C. 111), and section 3709 of the Revised Statutes, as amended; and

(2) such other expenses as the Secretary of State deems necessary to participation by the United States in the activities of the Organization: *Provided*, That the provisions of section 6 of the Act of July 30, 1946, Law 565, Seventy-ninth Congress, and regulations thereunder, applicable to expenses incurred pursuant to the Act shall be applicable to any expenses incurred pursuant to this paragraph (b) (2).

SEC. 3. No person shall serve as representative, alternate, or alternate from the United States until such person has been investigated as to loyalty and security by the Federal Bureau of Investigation.

Approved June 30, 1948.

Public Law 472, 80th Congress, 2d Session

TITLE II

SEC. 201. This title may be cited as the "International Children's Emergency Fund Assistance Act of 1948".

SEC. 202. It is the purpose of this title to provide for the special care and feeding of children by authorizing the expenditure of additional moneys for the International Children's Emergency Fund of the United Nations.

SEC. 203. The President is hereby authorized and directed any time after the date of the enactment of this Act and before July 1, 1949, to make contributions from sums appropriated to carry out the purposes of title and (b) from sums appropriated to carry out the general purposes of the proviso in the first paragraph of the first section of the joint resolution of May 31, 1947 (Public Law 84, Eightieth Congress), as amended, to the International Children's Emergency Fund of the United Nations for the special care and feeding of children.

SEC. 204. No contribution shall be made pursuant to this title or such joint resolution of May 31, 1947, which would cause the sum of (a) the aggregate amount contributed pursuant to this title and (b) the aggregate amount contributed by the United States pursuant to such joint resolution of May 31, 1947, to exceed whichever of the following sums is the lesser:

(1) 72 per centum of the total resources contributed after May 31, 1947, by all governments, including the United States, for programs carried out under the supervision of such Fund: *Provided*, That in computing the amount of resources contributed there shall not be included contributions by any government for the benefit of persons located within the territory of such contributing government; or

(2) \$100,000,000.

SEC. 205. Funds appropriated for the purposes of such joint resolution of May 31, 1947, shall remain available through June 30, 1949.

SEC. 206. There is hereby authorized to be appropriated to carry out the purposes of this title for the fiscal year ending June 30, 1949, the sum of \$60,000,000.

III. Responsibilities Over Non-Self-Governing and Trust Territories

Public Law 403, 80th Congress, 2d Session

Resolution Providing for membership and participation by the United States in the South Pacific Commission and authorizing an appropriation therefor.

Whereas delegates representing the Governments of Australia, the French Republic, the Kingdom of the Netherlands, New Zealand, the United Kingdom of Great Britain and Northern Ireland, and the United States of America attended the South Seas Conference held at Canberra, Australia, and signed an "Agreement Establishing the South Pacific Commission" on February 6, 1947; and

Whereas the purpose of the South Pacific Commission is to encourage and strengthen international cooperation in promoting the economic and social welfare and advancement of the non-self-governing territories in the South Pacific in accordance with the principles set forth in Chapter XI of the Charter of the United Nations, thereby contributing to the maintenance of international peace and security: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to accept membership of the United States in the South Pacific Commission, pursuant to the Agreement Establishing the South Pacific Commission, signed on February 6, 1947, at Canberra, Australia, by delegates representing the Governments of Australia, the French Republic, the Kingdom of the Netherlands, New Zealand, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, and to appoint the United States Commissioners, their alternates, thereto.

SEC. 2. When used in this joint resolution—

(a) the term "Secretary" means the Secretary of State; (b) the term "Government agency" means any department, independent establishment, or other agency of the Government of the United States, or any corporation wholly owned by the Government of the United States; and (c) the term "Commission" means the South Pacific Commission.

SEC. 3. There is hereby authorized to be appropriated from the Department of State, out of any money in the Treasury not otherwise appropriated—

(a) Not more than \$20,000 annually for the payment of the United States of its proportionate share of the expenses of the Commission and its auxiliary and subsidiary bodies, as set forth in article XIV of the Agreement Establishing the South Pacific Commission;

(b) Such additional sums as may be needed for the payment of all necessary expenses incident to participation by the United States in the activities of the Commission, including salaries of the United States Commissioners, their alternates, and appropriate staff, without regard to the civil-service laws and the Classification Act of 1923, as amended; personal services in the District of Columbia; services as authorized by section 15 of Public

Law 600, Seventy-ninth Congress; under such rules and regulations as the Secretary of State may prescribe, allowances for living quarters, including heat, fuel, and light and cost-of-living allowances to persons temporarily stationed abroad; hire of passenger motor vehicles and other local transportation; printing and binding without regard to section 11 of the Act of March 1, 1919 (44 U.S.C. 111), and section 3709 of the Revised Statutes, as amended; and such other expenses as the Secretary of State finds necessary to participation by the United States in the activities of the Commission: *Provided*, That the provisions of section 6 of the Act of July 30, 1946 (Public Law 565, Seventy-ninth Congress), and regulations thereunder, applicable to expenses incurred pursuant to that Act shall be applicable to any expenses incurred pursuant to this paragraph (b).

SEC. 4. The Secretary is authorized, when the Commission is desirous of obtaining the services of a person having special scientific or other technical or professional qualifications, from time to time to detail, or authorize the detail of, for temporary service to or in cooperation with the Commission, any person in the employ or service of the Government of the United States who has such qualifications, with the approval of the Government agency in which such person is employed or serving, under the same conditions as those governing the detail of officers and employees of the United States Government to the government of another country in accordance with the provisions of the Act of May 25, 1938 (52 Stat. 442), as amended, except that the authority vested in the President under that Act shall be vested in the Secretary for the purpose of carrying out this section.

Approved January 28, 1948.

Public Law 431, 80th Congress, 2d Session

Joint Resolution Providing for membership and participation by the United States in the Caribbean Commission and authorizing an appropriation therefor.

Whereas representatives of the Governments of the French Republic, the Kingdom of the Netherlands, the United Kingdom of Great Britain and Northern Ireland, and the United States of America signed "An agreement for the establishment of the Caribbean Commission" in Washington on October 30, 1946, which agreement continued and extended the international cooperative arrangements initiated in 1942 between the United Kingdom of Great Britain and Northern Ireland, and the United States; and

Whereas the purpose of the Caribbean Commission is to encourage and strengthen international cooperation in promoting the economic and social welfare and advancement of the non-self-governing territories in the Caribbean area, whose economic and social development is of vital interest to the security of the United States, in accordance with the principles set forth in Chapter XI of the Charter of the United Nations: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to accept membership for the United States in the Caribbean Commission, created by "An agreement for the establishment of the Caribbean Commission," signed in Washington on October 30, 1946, by representatives of the Governments of the French Republic, the Kingdom of the Netherlands, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, and to appoint the United States Commissioners, and their alternates, thereto.

SEC. 2. There is hereby authorized to be appropriated to the Department of State, out of any money in the Treasury not otherwise appropriated—

(a) Not more than \$142,000 annually for the payment by the United States of its proportionate share of the expenses of the Commission and its auxiliary and subsidiary bodies, pursuant to article XV of the "agreement for the Establishment of the Caribbean Commission"; and

(b) Such additional sums as may be needed for the payment of all necessary expenses incident to participation by the United States in the activities of the Commission, including salaries of the United States Commissioners, their alternates, appropriate staff, without regard to the civil-service laws and the Classification Act of 1923, as amended; personal services in the District of Columbia; services as authorized by section 15 of Public Law 600, Seventy-ninth Congress; hire of passenger motor vehicles and other local transportation; printing and binding without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111), and section 3709 of the Revised Statutes, as amended; and such other expenses as the Secretary of State finds necessary to participation by the United States in the activities of the Commission: *Provided*, That the provisions of section 6 of the Act of July 30, 1946 (Public Law 565, Seventy-ninth Congress), and regulations thereunder, applicable to expenses incurred pursuant to that Act shall be applicable to any expenses incurred pursuant to this paragraph (b).

Approved March 4, 1948.

Public Law 204, 80th Congress, 1st Session

Joint Resolution Authorizing the President to approve the trusteeship agreement for the Territory of the Pacific Islands.

Whereas the United States submitted to the Security Council of the United Nations for its approval in accordance with article 83 of the Charter of the United Nations a proposed trusteeship agreement for the Pacific islands formerly mandated to Japan under which the United States would be prepared to administer those islands under trusteeship in accordance with the Charter of the United Nations; and

Whereas the Security Council on April 2, 1947, approved unanimously the trusteeship agreement with amendments acceptable to the United States; and

Whereas the said agreement, having been approved by the Security Council, will come into force upon approval by

the Government of the United States after due constitutional process: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to approve on behalf of the United States, the trusteeship agreement between the United States of America and the Security Council of the United Nations for the former Japanese mandated islands (to be known as the Territory of the Pacific Islands) which was approved by the Security Council at the seat of the United Nations, Lake Success, Nassau County, New York, on April 2, 1947.

Approved July 18, 1947.

House Concurrent Resolution 129, 80th Congress, 2d Session

Whereas the President, on behalf of the United States, pursuant to authority contained in Public Law 600, the first session of the Eightieth Congress, has approved an agreement between the Security Council of the United Nations and the United States of America pursuant to which the United States has become administering authority for the trust territory of the Pacific islands, heretofore known as the Japanese Mandated Islands of the Pacific; and

Whereas it is the responsibility of the Congress of the United States to provide a permanent government for the trust territory of the Pacific islands; and

Whereas the problem of administration of the trust territory of the Pacific islands is interrelated to the administration of Guam, American Samoa, Wake Island and other United States island possessions in the Pacific Ocean: Therefore be it

Resolved by the House of Representatives (the Senate concurring), That there is hereby established a joint congressional committee to be composed of three members who are members of the Committee on Interior and Public Lands of the House of Representatives, three members who are members of the Committee on Foreign Affairs of the Senate, three members who are members of the Committee on Foreign Relations of the Senate, and three members who are members of the Committee on Public Lands of the House of Representatives, three members who are members of the Committee on Foreign Affairs of the House of Representatives, to be appointed by the Speaker of the House of Representatives. The committee shall select a chairman and a vice chairman from among its members.

SEC. 2. The committee shall make a thorough study and investigation of the islands, group of islands, and areas included within the trust territory of the Pacific, all other islands, groups of islands, and other areas in the Pacific which are possessions of, or subject to the authority of, the United States, including study and investigation of—

(a) the peoples, customs, laws, economies, resources, and governments of such areas;

(b) the interrelation, and the natural or appropriate integration, of such areas;

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the interrelation of the security of such areas and
unity of the United States;

measures designed to advance the security and
living of the peoples and economies of such areas;

such other matters relating to such areas as the
committee may deem appropriate.

3. The committee shall complete its study and in-
vestigation as expeditiously as possible, and shall forth-
with report to the Committee on Interior and
Public Affairs of the Senate and the Committee on For-
eign Relations of the Senate and the Committee on Public
Affairs of the House of Representatives and the Committee on
Foreign Affairs of the House of Representatives the re-
sults thereof, recommending such organic and other
legislation as may be necessary to provide for the civil
development of such areas, and to assure to the peoples of
such areas justice, peace, and tranquillity, a voice in their
affairs and government, the development of their
economies and the protection of their civil rights, all with
regard to the established customs of such peoples.

4. For the purposes of this concurrent resolution,
committee, or any duly authorized subcommittee

thereof, is authorized to hold such hearings, to sit and
act at such times and places during the sessions, recesses,
and adjourned periods of the Eightieth Congress, to em-
ploy such consultants, specialists, clerks, and other
assistants, to travel, and authorize its assistants to travel,
freely through such areas and such other places, to
utilize such transportation, housing, and other facilities
as the Army, Navy, Marine Corps, Coast Guard, and Air
Force may make available, to require by subpoena or other-
wise the attendance of such witnesses and the production
of such correspondence, books, papers, and documents, to
administer such oaths, to take such testimony, and to
make such expenditures, as it deems advisable. The
cost of stenographic services to report such hearings shall
not be in excess of 25 cents per hundred words. The ex-
penses of the committee, which shall not exceed \$50,000,
shall be paid one-half from the contingent fund of the
Senate and one-half from the contingent fund of the House
of Representatives, upon vouchers approved by the chair-
man or vice chairman. Disbursements to pay such ex-
penses shall be made by the Secretary of the Senate out
of the contingent fund of the Senate, such contingent fund
of the House of Representatives in the amount of one-half
of disbursements so made.

Passed June 18, 1948.

IV. Presidential Proclamations Reconvening 80th Congress

Proclamation 2751 ¹¹

Convening the Congress

THE PRESIDENT OF THE UNITED STATES OF AMERICA
A PROCLAMATION

WHEREAS the public interest requires that the Congress
of the United States should be convened at twelve o'clock,
on Monday, the Seventeenth day of November, 1947,
to receive such communication as may be made by the
Executive;

NOW, THEREFORE, I, Harry S. Truman, President of the
United States of America, do hereby proclaim and declare
that an extraordinary occasion requires the Congress of
the United States to convene at the Capitol in the City
of Washington on Monday, the Seventeenth day of Novem-
ber, 1947, at twelve o'clock, noon, of which all persons who
shall at that time be entitled to act as members thereof
are hereby required to take notice.

WITNESS WHEREOF, I have hereunto set my hand and
the great seal of the United States.
DONE at the City of Washington this twenty-third day
of October, in the year of our Lord nineteen hun-
dred and forty-seven, and of the Independence of
the United States of America the one hundred
seventy-second.

HARRY S. TRUMAN

By the President:

ROBERT A. LOVETT,
Acting Secretary of State.

Proclamation 2796 ¹²

Convening the Congress

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the public interest requires that the Con-
gress of the United States should be convened at twelve
o'clock, noon, on Monday, the twenty-sixth day of July,
1948, to receive such communication as may be made by
the Executive;

NOW, THEREFORE, I, Harry S. Truman, President of
the United States of America, do hereby proclaim and
declare that an extraordinary occasion requires the Con-
gress of the United States to convene at the Capitol in
the City of Washington on Monday, the twenty-sixth day
of July, 1948, at twelve o'clock, noon, of which all persons
who shall at that time be entitled to act as members
thereof are hereby required to take notice.

IN WITNESS WHEREOF, I have hereunto set my hand and
caused to be affixed the great seal of the United States.

DONE at the city of Washington this fifteenth day of
July, in the year of our Lord nineteen hundred
[SEAL] and forty-eight, and of the Independence of the
United States of America the one hundred and
seventy-third.

HARRY S. TRUMAN

By the President:

G. C. MARSHALL,
Secretary of State.

¹² Fed. Reg. 6941.

¹³ Fed. Reg. 4057.

Seventh Session of ECOSOC: Freedom of Information

STATEMENT BY WILLARD L. THORP¹

U. S. Representative

MR. PRESIDENT AND MEMBERS OF THE ECONOMIC AND SOCIAL COUNCIL: During these closing days of the Seventh Session of this Council, there is no time left for empty amenities. Therefore, I am going to speak frankly and even bluntly on the subject of freedom of information because we consider this to be a subject of fundamental importance to the cause of peace and international understanding.

Once before in an earlier session of this Council, I made a short speech on this subject, and was then told that we could not be deeply interested because I had not spoken at greater length. I deny the principle that length of speeches is proportional to intensity of interest. This notion has never governed American performance. In this instance, if I reflected in my presentation the interest of the American people, it would extend our session far into the future.

The record of the Council in the course of this Session with respect to this vital subject has been thoroughly disappointing to my Delegation. We came here prepared to contribute constructively, and with malice toward none, to a discussion of the Final Act of the Conference on Freedom of Information. Already, 54 nations had met in a formal conference under United Nations auspices, and after full discussion had adopted three conventions and various resolutions on this subject.

We had hoped that the Council might be able to consider this subject carefully and judiciously, make appropriate improvements in the conventions and resolutions transmitted to us by the Conference, and pass the product of our work along proudly to the General Assembly. In anticipation, we spent days in consultation with our colleagues in the French and United Kingdom Delegations with a view to harmonizing the three conventions which had emerged from the Conference on Freedom of Information and the Press, and which had been sponsored by the United Kingdom, France, and the United States, respectively. We thus hoped to make the work of the Council easier, to facilitate speedy action.

And what did we find? We were confronted for weeks with ill-founded and vicious attacks on the part of certain delegations which accused my Delegation, my Government, individual Americans, and the newspapers and radio of my country

of irresponsible and malicious actions designed to provoke another war. We were met with consuming and obstructionist tactics apparently designed to make it impossible for this Council within the possible limits of time available to reach any useful conclusions regarding the Final Act of the Conference on Freedom of Information. When the attempt failed to reach the consideration of the Final Act to the close of the hours of the Council, we had to listen for weary hours to procedural arguments which had little or no bearing on the subject at hand. Amendments introduced at one point in the discussion and decisively defeated were re-introduced time and time again at subsequent points.

The Delegations of France and the United Kingdom, together with my own Delegation, were accused of trying to substitute a new convention for the convention on the gathering and international transmission of news, even though anyone who had studied the joint Anglo-French-American amendments carefully could see that they were designed to clarify and not to change the substance of the matter, as I shall illustrate later in my remarks. In this connection, it is important to note that the opposition was the opposition of three governments which had pursued similar tactics at the Conference on Freedom of Information itself, which at that Conference had voted against even one of the conventions. Consequently, their professions of support for and concern about the original drafts can only be characterized as façades designed to conceal their real position. They themselves proposed numerous amendments which certainly were directed at the substance of the conventions.

These opposing countries not only have given signs that there is any possibility that these conventions ever may come into force in their own countries, but they appear to be directing their efforts to preventing their being carefully considered by other countries which do have a real interest. In fact, the goal seems to be to make certain that these conventions should never become part of international law. What we have witnessed here during recent weeks was an extraordinary illustration of an attempt at sabotage which, alas, proved at least partially successful in preventing the Council from exercising and expressing its considered judgment on these subjects. We in the Council have been the victims of our rules of procedure and the limitations of

¹ Made before a Plenary Session in Geneva on Aug. 27, 1948. Mr. Thorp is Assistant Secretary of State for economic affairs.

schedule. Rules designed to protect the free-
of speech of any minority have been used to
nt action by the majority. But these tactics
t in the long run be effective. The desire of
eat majority of nations here represented is
and my Government is confident that the will
majority will be effectively and clearly ex-
d at the General Assembly.

United States Delegation has stated on sev-
er occasions in the Committee on Human Rights
c would hope for nothing better than to see all
ries in the world adopt the conventions which
ed from the Conference on Freedom of In-
ation. If we had had any optimistic illusions
s subject, they are now gone. It is quite evi-
o us that certain countries do not want any
of these conventions. It has become evident,
o the casual observer, that when it comes to
sue of freedom of information, we are sepa-
by fundamental differences in our political
sophy, our governmental practice, and our
lence in the intelligence and judgment of
n beings.

country, and I know this is shared by the
majority of countries throughout the world,
res in freedom of information. We are con-
d that without access to unfettered news, the
e in any country cannot carry out their demo-
e functions as an informed body of citizens.
re convinced that without a free flow of in-
ation between countries, the development of
international understanding is impossible.
re not afraid of so-called false and slanderous
mation which may at times find its way into
lumnns of a free press. We are not afraid of
ause we believe in the dignity, capacity, and
a of man. We believe in his judgment and
e intelligence, and we are certain that we can
in his judgment based upon information and
on of all kinds freely presented and freely
ed. This is the fundamental protection of
ue democracy, where every effort is made to
e the power of a few, either in private or
c life, and to rely to the fullest degree possible
the broad judgment and participation by all
people.

contrast, in nations where information is
controlled and censorship rules, a few gov-
ent officials have the power to lead their peo-
own the road to misunderstanding and even
between twin walls of contrived ignorance
distorted propaganda. The power of the state
h that there is no protection. Only the opin-
f the few and facts selected by the few are
nted to the people. The essence of the cen-
zed approach to information is not freedom,
ontrol. The few who control from their polit-
seats are inevitably afraid of letting their
le know what other people think about their
nments; afraid to let them form an unbiased
ment about other nations and their institu-

tions; afraid of the fresh breeze of free argument
and criticism. Here the power of the few is com-
plete. Censorship and control are in their hands.
In such circumstances, there is no possible pro-
tection of the many against the few. That is why
freedom of information is so basic to the whole
notion of human rights and of responsible citizen-
ship, national and international.

The fundamental issue is a clear one. How
can truth best reach the people of the world? On
the one hand, is a centralized system where state
control and censorship rule. All media of infor-
mation are subject to the complete dictation of a
few political officials whose purpose in being is
not necessarily the promotion and dissemination
of truth. The probability is clearly otherwise.

On the other hand, is a decentralized and com-
petitive system, where truth may find its way
through many channels and many outlets. Let
me describe briefly the processes for the flow of
information in the United States today. In the
United States, there are more than 1,700 daily
newspapers. Of these, about 83 percent are lo-
cally owned and only about 13 percent absentee
owned. In other words, approximately four out
of every five dailies are individual, independent
units. Only slightly more than one out of five
is linked with a chain, and the largest chain in
the United States consists of less than 20 dailies.
There are, in addition, almost 10,000 weekly news-
papers. The overwhelming majority of these are
individual units, locally owned. Each of these
papers—both weeklies and dailies—has its own
editors, free to report world news and to com-
ment on it as they like.

Scores of magazines and periodicals are pub-
lished by many unrelated owners in the United
States, many of which contain news and informa-
tion concerning international affairs.

In the field of radio there are almost 1,700 AM
stations broadcasting at the present time, together
with more than 500 FM stations, and some 27 tele-
vision stations. Almost without exception, con-
siderable attention is given by all of these to the
dissemination of news and information concern-
ing public affairs. And commentators suggest to
the public various interpretations of the news.

These news media—newspapers, periodicals,
and broadcasting stations—are served by three
national wire services with world-wide coverage,
which provide their services to media of all shades
of opinion from right to left. In addition, many
newspapers, periodicals, and radio networks main-
tain extensive, supplementary foreign coverage
through correspondents of their own.

Through this extensive network for the collec-
tion and dissemination of news and information,
the multiplicity of sources of news and informa-
tion available to the people of the United States
is unsurpassed in any other country of the world.

I am not pretending to claim that our American

THE UNITED NATIONS AND SPECIALIZED AGENCIES

institutions are perfect or that only truth flows through our news channels. But I do submit that true information has its best chance of expression when the channels are multiple and uncontrolled, rather than when it must all pass through a single point, and a government censor sits at that point, adding to that which he permits to pass a tremendous flow of opinion and propaganda originating from government sources. Which is the monopoly—the ownership and perhaps the control of a handful of newspapers in the United States, or the ruthless all-embracing control by the State of every written and spoken word? No monopoly can possibly be more complete than a state monopoly. And no state monopoly can be more dangerous to the peace of the world than one completely controlling the flow of information.

It is with regret that I must leave the basic issue to turn to certain specific aspects of the proposed conventions. At some points, the result of the prolonged debates has been to confuse the issue; at others, to weaken the conventions somewhat. First, I shall refer to the convention on the gathering and international transmission of news—the only convention which was reviewed by the Committee on Human Rights.

The tripartite amendment submitted by France, the United Kingdom, and the United States introduced the phrase “of other contracting states” into various substantive articles of the convention, in order to make it absolutely clear to everyone that the rights and privileges of the convention would apply only to correspondents and information agencies of contracting states. In connection with this clarification, the term “correspondents of other contracting states” was substituted for the term “foreign correspondent”. The Soviet and Polish Delegates charged time after time that these phrases introduced a new element into the text which made for discrimination between the correspondents and information agencies of contracting states, on the one hand, and of non-contracting states, on the other. Furthermore they made the point with wearying repetition that this change for the first time brought within the terms of the convention nationals of a given country who might work for foreign information agencies.

In the first place, it is evident that limiting the convention to contracting states is nothing less than the principle of reciprocity which is the basis of all treaties. This is certainly unobjectionable procedure. But beyond this, let us look at the facts. Let us see whether, as charged, the tripartite amendment introduced a new principle into the text originally adopted by the Conference.

I shall quote the pertinent parts of the original definitions of “information agency” and “foreign correspondent” as adopted by the Conference on Freedom of Information:

For the purpose of the present Convention, the following expressions are to be understood in the sense after defined.

A. Information Agency

A press, radio or film organization, whether public or private, created or organized under the applicable laws and regulations within the territories of a Contracting State. . . .

B. Foreign Correspondent

An individual employed by an information agency of a Contracting State in accordance with the definition I have just read—or a national of a Contracting State.

It is perfectly clear that by definition the original draft adopted by the Conference extended the rights and privileges of the convention to information agencies and correspondents of contracting states. It is also perfectly clear that nationals working for foreign information agencies of contracting states were always included within the scope of the convention. The tripartite amendment changed nothing in two respects. Yet time after time ill-founded charges were made that it did, and hours and days of precious time were devoted to debating the semantics of the original draft and the revision.

As I have explained, this tripartite amendment did not change the substance of the draft adopted by the Conference. However, some modifications were approved by the Human Rights Committee which are matters of regret to my Delegation. I feel absolutely certain that my Government will urge the General Assembly to return to the principles approved by the Conference.

In the first place, the Conference originally adopted the principle that news material leaving a country in peacetime might be censored only on the ground of national military security. I view this foothold for the censors my Government viewed as, at best, a necessary evil. The Human Rights Committee, however, has so amended articles 4 and 10, the latter of which has become article 9 in the Report of the Committee, that the boundaries of peacetime censorship are ambiguous. At the least, censorship would be permitted on the sweeping ground of national security—a term which can be stretched to cover a multitude of sins in the way of governmental suppression of legitimate news. My Government has stated strongly that censorship of outgoing news should be permitted in peacetime only at most on grounds of national military security—and that only in full conformity with the procedures laid in article 4, every step of which is designed for the protection of correspondents and information agencies.

In the second place, my Delegation regrets the insertion by the Committee of the third paragraph of what used to be article 10, and is now article 9, which provides that nothing in the convention shall limit the discretion of any contracting state.

use entry to any particular person—that is, to particular correspondent. The original of the convention as adopted by the Conference permitted states to refuse entry to correspondents, but only in accordance with public law and regulations—either immigration laws or for the protection of national security. Thus actions of states would have to be in accordance with a rule of law—a rule of law which they might themselves establish, but nevertheless a rule of law duly adopted and known to all. The provision adopted by the Human Rights Committee, on the other hand, opens the door to arbitrary administrative action by governmental personnel. It would permit the exclusion of any particular correspondent for any reason whatsoever, most because it was feared that once admitted the correspondent might transmit abroad facts harmful to the government concerned.

I must also comment on article 14 of the draft convention on the gathering and international transmission of news—the so-called “colonial clause” which has become article 15 in the document now before you. The United States Government wants the most liberal provision possible in this connection. We ourselves will automatically ratify the freedom-of-information conventions which we ratify to all the territories for the control of whose international relations the United States is responsible. At the same time we recognize the constitutional and procedural difficulties of certain metropolitan powers in this regard. We do not want to make it impossible for them to ratify these conventions. Therefore we supported the article adopted by the Human Rights Committee, an article which, frankly, falls short of our expectations. I must state, however, that my Government does not consider this present provision establishing a precedent for other conventions relating to other matters.

With respect to the draft convention concerning the institution of an international right of correction—which was originally sponsored by the French Government, my Government wholeheartedly accepts the principle of an international right of correction. My Government looks upon the proposed convention on this subject as a legitimate and potentially useful remedy for false or distorted reports likely to injure friendly relations between States—a remedy thoroughly consistent with the principles of freedom of information, with the responsibility of the United Nations in promoting international understanding. We have agreed with the French and United Kingdom Governments on certain clarifying amendments to the convention which will in no way change its substance. Since there is no time to discuss these amendments here, we shall submit them to the General Assembly.

The third convention—the draft convention on freedom of information—seeks agreement among

democratic states on broad principles of freedom of information, and the extension of these principles to regions where they are not now fully recognized in practice. The United States warmly supports the general objectives of this convention. At the same time we believe it can and should be improved in the General Assembly.

The chief outstanding problem in our view arises in connection with article 2. In its present form article 2 attempts to list specifically the restrictions which governments may legitimately impose upon the broad rights to freedom of information granted by article 1. In the view of my Government, in lieu of the specific limitations clause, there should be substituted a general, overall limitations clause laying down the boundaries of governmental power.

There are two reasons for this proposed change. In the first place, it is clear that the list of specific restrictions now contained in article 2 is incomplete. A more thorough examination of this subject has indicated that a score of specific restrictions would have to be listed if one wished to protect adequately the various existing, legitimate laws now in force in various countries for the protection of the public. To make such a detailed listing would give the appearance of the tail of limitation wagging the dog of freedom.

In the second place, the problem of the exact boundary between freedom and protection is perennial. No rigid adjustment on an international basis will ever be completely satisfactory or permanent. In the opinion of my Government, this problem can best be dealt with in an international convention by provisions drafted along the lines of articles in a constitution, not specifications in a city ordinance. Only thus can the legitimate rights of the people be protected on a continuing basis.

In conclusion, may I state that my Government will urge the General Assembly in its next session to give adequate consideration to all three freedom-of-information conventions. We will come to the Assembly in the same spirit as we came to the Council, prepared to contribute constructively to drafting the best conventions which the composite intelligence of those present can create. It is our hope that, with whatever modifications are considered appropriate by the Assembly, these conventions will be adopted and opened for signature at the next session of the Assembly in accordance with the time-table recommended by the Conference on Freedom of Information.

The concern of my Government in this field is first and foremost to implement the right of all peoples to know—to know what is going on everywhere on the globe. We hope that this right will eventually be guaranteed on a world-wide basis—

(Continued on page 385)

THE RECORD OF THE WEEK

Meeting of Council of Foreign Ministers To Discuss Italian Colonies

NOTES AND MEMORANDA EXCHANGED BETWEEN U.S. AND SOVIET GOVERNMENTS

Soviet Note to United States

[Translation]
No. 165

The Embassy of the U.S.S.R. in the U.S.A. upon instructions of the Soviet Government has the honor to communicate the following.

In connection with the termination of the work of the Deputy Ministers of Foreign Affairs of the four powers on the question of the former Italian colonies and in accordance with Article 23 of the Treaty of Peace with Italy and with Annex XI to this Treaty, the Soviet Government deems it necessary, prior to the expiration of the period envisaged by the Treaty of Peace, that is, prior to September 15 of this year, to examine in the Council of Ministers of Foreign Affairs the question of the former Italian colonies in the manner established by the Treaty of Peace.

Embassy of the Union of
Soviet Socialist Republics,
WASHINGTON, *September 4, 1948.*

Secretary Marshall to Soviet Ambassador

September 8, 1948

The Secretary of State presents his compliments to the Ambassador of the Union of Soviet Socialist Republics and has the honor to acknowledge His Excellency's note no. 165 of September 4, 1948, regarding the disposition of the former Italian colonies. It is noted that the Soviet Government deems it necessary, now that the work of the Deputy Foreign Ministers has been concluded, to examine the problem in the Council of Foreign Ministers prior to September 15 in accordance with Article 23 of the Italian Treaty of Peace and Annex XI thereto.

The Government of the United States is prepared, should the other member governments agree, to participate in the proposed meeting of the Council of Foreign Ministers through a duly qualified representative of the Secretary of State. In view of the wide divergence of views expressed by the Deputy Foreign Ministers, however, this Government is of the opinion that no useful purpose could be served by this meeting unless the Soviet Government has new proposals to make.

¹ Released to the press on Sept. 8, 9, and 11, 1948.

In the absence of such new proposals, this Government suggests that the four governments concerned should agree among themselves that, having failed to reach agreement on the disposition of these territories by the date stipulated under the terms of the Treaty of Peace with Italy, this should be notified to the Secretary General of the United Nations either by the four powers individually, through diplomatic channels, or through the Secretary General of the Council of Foreign Ministers. This Government considers that the procedure suggested above would meet the requirements of the provisions of the Italian Treaty of Peace.

Soviet Memorandum to United States

[Translation]
No. 166

The Embassy of the Union of Soviet Socialist Republics presents its compliments to the Department of State and has the honor to transmit with a copy of the note of September 8, 1948 of the Embassy of the U.S.S.R. in Great Britain to the Foreign Office of Great Britain.

Embassy of the Union of Soviet Republics
Washington, September 8, 1948

Copy of Soviet Note to Great Britain

In connection with the note of September 4 of this year from the Foreign Office of Great Britain, in which the Government of Great Britain, replying to the note of September 4 from the Soviet Government, communicated its consent to discuss the question of Italian colonies in the Council of Foreign Ministers of the U.S.S.R., Great Britain, the U.S.A., and France before September 15th, the Embassy is instructed to communicate the following:

The Soviet Government agrees to the proposal of the Government of Great Britain to call a session of the Council of Foreign Ministers for the discussion of the said question in Paris.

As regards the date of calling the Council of Foreign Ministers, the Soviet Government considers that such a date might be September 10 (tenth) of this year.

A copy of this note is being forwarded simultaneously to the Governments of the U.S.A. and France.

Department of State Bulletin

United States Memorandum Delivered on September 9, 1948, to Soviet Embassy

reply to the Soviet Embassy's memorandum no. 166 of September 8, 1948, regarding the proposed meeting of the Council of Foreign Ministers to examine the question of the former Italian colonies, the Department of State refers to the Secretary's note of the same date to the Soviet Ambassador on this subject.

The Department of State is entirely agreeable to the holding of the Council's meeting in Paris. The date of September 10 proposed by the Soviet Government would not, however, allow sufficient time for the Department to prepare the necessary instructions, travel orders, et cetera, for the American delegation. For this reason, the Department proposes that the Council be convoked in Paris on September 13, and trusts that this date will be acceptable to the Soviet Ministry of Foreign Affairs.

Department of State,
Washington, September 9, 1948.

United States Note to the United States

[Translation]
1948

The Soviet Government has received the Department of State's notes of September 8 and September 9 on the question of the former Italian colonies. In this connection the Embassy of the U.S.S.R. has been instructed to bring the following to the attention of the Government of the U.S.A.:

In its note of September 8 the Government of the U.S.A. states that a conference of the Council of Foreign Ministers would not serve any useful purpose if the Soviet Government did not introduce new proposals for consideration therein. With a statement, with an attempt to present to the Soviet Government certain preliminary conditions for calling the Council of Foreign Ministers, absolutely arbitrary and unacceptable to the United States Government. In expressing its willingness to participate in a conference of the Council of Foreign Ministers on the question of the fate of the former Italian colonies, the Government of the U.S.A. states that a representative of the Secretary of State will be fully empowered to participate in such a conference, which signifies the refusal of the Secretary of State of the U.S.A. to participate in the said Council of Foreign Ministers and makes the convocation of the Council of Foreign Ministers to discuss the said question impossible. The Government of the U.S.A. thereby violates that clause of the Treaty of Peace with

Italy which provides that the question of the fate of the former Italian colonies be discussed before September 15 of this year in the Council of Foreign Ministers.

Despite the fact that such a reply from the Government of the U.S.A. is not in keeping with the provisions of the Treaty of Peace with Italy, the Soviet Government will not object to the said conference of representatives of the four Powers, in so far as the Governments of France and Great Britain are also in agreement.

There are no objections to the date of September 13 for such a conference in Paris.

Copies of the present note are being sent to the Governments of Great Britain and France.

Embassy of the Union of Soviet Socialist Republics

Washington, September 10, 1948.

United States Memorandum Delivered on September 11, 1948, to the Soviet Embassy

The Department of State acknowledges the receipt of the Soviet Embassy's memorandum no. 169 of September 10 with further reference to the proposed meeting of the Council of Foreign Ministers to examine the question of the former Italian colonies.

The United States Government rejects the interpretation placed by the Soviet Government on its memorandum of September 9.

The United States Government further does not accept the contention of the Soviet Government that the participation of a representative of the Secretary of State in that meeting, in the Secretary's stead, makes impossible the convocation of a Council of Foreign Ministers and the accusation that the United States Government thereby violated the Treaty of Peace with Italy. The Potsdam Agreement regarding the establishment of the Council of Foreign Ministers is unambiguous in providing, in paragraph 2, subsection (1), for a "high-ranking deputy, duly authorized to carry on the work of the Council in the absence of his foreign minister". The Soviet Government will recall that, in accordance with this provision, this procedure has been followed in previous meetings of the Council of Foreign Ministers.

Nevertheless, if the other Governments concur, the United States Government is prepared to attend the meeting in Paris on September 13, referred to in the Embassy's memorandum, to discuss the disposition of the former Italian colonies.

Copies of this memorandum are being transmitted to the British and French Governments.

Department of State,

Washington, September 11, 1948.

"The Issues at Belgrade Were Clearly Drawn"

REPORT ON THE DANUBE CONFERENCE BY WALTER A. RADIUS

Director, Office of Transportation and Communications

The Danube conference recently convened in Belgrade was called, under a declaration of the Council of Foreign Ministers of December 1946, to implement the clauses of the Balkan peace treaties providing for freedom of navigation on the Danube. Ten countries participated: the four sponsors, the United States, the United Kingdom, France, and the Soviet Union; and the Ukraine, Rumania, Bulgaria, Hungary, Yugoslavia, and Czechoslovakia. Austria was also present, but the Soviet bloc refused to accept an American proposal to grant her the right to vote.

We knew that the three western powers would be in a minority position and could be out-voted on any issue at any time. Nevertheless, we went to the Conference to negotiate in good faith. This was the first conference convened after the Smith-Molotov exchange of notes last May. We are proud of our record in backing up our offer to negotiate any issue under appropriate international auspices—no matter how difficult. At Belgrade we were indeed put to the severest test. The record clearly shows who was willing to negotiate and who was not.

The United States looked upon this Conference as one more opportunity to try to break the deadlock of shipping on the Danube and to restore free and open navigation on the river. For three years commerce between the upper part of the river in Germany and Austria and the lower part under Soviet control has been at a standstill. For three years the United States has tried to break down the barrier blocking traffic between its zone and the Soviet-controlled river. The problem was tackled in the Control Council in Austria, in the Economic and Social Council of the United Nations, and by direct efforts—all to no avail. It is no wonder that economic recovery in the Danubian area and the development of east-west trade have been retarded. Even within the Soviet-controlled area traffic is less than the prewar level.

While we were not optimistic that the Conference would reach an acceptable solution of the Danube problems, we went prepared to study, discuss, and negotiate the issues involved.

The work of the Conference revolved around the drafting of a new convention to cover the international administration of the Danube. In this discussion, the term "convention" is used as meaning "treaty".

The United States sought a new convention for the Danube which would:

1. Promote river trade within the entire Danube

basin, and open that waterway to the vessel commerce of all nations on a basis of equality.

2. Assure that the merchant ships of any country could use the river and port facilities without discrimination;

3. Set up an administration for the regulation of navigation adapted to the special problems of a great river system serving many states and responding to expanding requirements of merchant shipping traffic;

4. Coordinate the administration of this waterway with other related international activities through appropriate association with the United Nations; and,

5. Provide an efficient and impartial means of conciliation of differences and for the settlement of disputes.

These objectives were clearly set forth in a complete proposed draft convention placed before the Conference by the United States Delegation.

By way of contrast, the Soviet draft convention placed before the Conference did none of these things. The Soviet Delegation made no effort to negotiate points of difference. Their attitude was one of take it or leave it. Mr. Vyshinski, head of the Soviet Delegation, actually stated: "I would say in general that what is acceptable in the United States draft can be found in the Soviet draft and what is not in the Soviet draft cannot be accepted. It cannot be accepted either by the Soviet Delegation or by the six riparian states. Not one suggestion for a change in the Soviet draft was made by any satellite delegation. It was presented as a perfect document, and endorsed as such by the eastern bloc. Only a few last-minute modifications of minor import were made by the Soviet Delegation, perhaps in a vain effort to conceal the fact that for them the role of the conference was merely to rubber-stamp their document.

In what ways was the Soviet draft convention unsatisfactory? To answer this question, we must go behind the language of the convention to the statements of delegates. We must see how Danube shipping has been organized and controlled during the past few years. We must learn what is meant by the words used in agreements in light of actual practice. Too often we have found that agreement on words is meaningless where there is no real agreement on principles. The records of the Belgrade conference show that those important phrases "freedom of navigation" and "non-discriminatory treatment" had different meanings depending upon who used them. While giving nominal, but limited, recognition to these basic

principles, the Soviet draft provided no assurances of performance.

Let me give you a specific example:

According to the terms of the Soviet convention, though freedom of navigation is allowed on the Danube to vessels of all countries, the use of port facilities is subject to agreement with appropriate transport agencies, with no adequate safeguards against discrimination.

Let us now look at the Meszhart Shipping Company of Hungary which has long-term leases on practically all the port facilities of Budapest. This company is fifty percent owned by the Soviet Union and its general manager is a Soviet citizen. It occupies a privileged position in the Hungarian economy. The Soviets have a similar company in Romania. What kind of an agreement would such port agencies likely make with their competitors?

Anyone with even a small knowledge of the factors involved in the shipment of goods knows that the possibility of discrimination is great even under normal conditions. With these conditions subject to agreements with Soviet-controlled monopolies, the principle of freedom of navigation without adequate guarantees of nondiscriminatory treatment would be meaningless.

The same type of analysis can be made of other questionable provisions of the Soviet convention. It fails to recognize the interests of the rest of Europe and the world in Danube commerce, and it ignores the interests of the Danube countries in trade with other regions. It ignores any relationship with the United Nations.

The Soviet Union purports to set up a new regime for the regulation of navigation on the Danube, but the Commission it establishes is impotent and without authority to see that the convention is carried out. The most important parts of the river, the Iron Gate sector and the Delta, are removed from its jurisdiction by setting up for those sections two administrations independent of the Commission. Austria is denied an opportunity of participation for the present, and the question of eventual Yugoslav participation is ignored. Within its occupation zones in these countries, the United States has direct responsibility for Danube shipping, and this interest is also ignored.

Existing international agreements covering the Danube and involving the rights of other states have been arbitrarily declared null and void.

The issues at Belgrade were clearly drawn. We pointed out early in the Conference that violent threats would not change one word of the Soviet position. We, therefore, set forth our position on each major point with reasoned arguments. The record shows that our arguments were either ignored or twisted—but received no serious consideration. How could they, since before any discussion began, the Soviet position had been

endorsed in full by six other states and our draft proposals flatly rejected?

Nevertheless, we stayed on to the final vote, ignoring the Soviet invitations to walk out, such as Mr. Vyshinski's statement, "The door was open for you to come in; the same door is open for you to go out, if that is what you wish." By staying we demonstrated the futility of attempting to negotiate with a Soviet-controlled majority.

We were also able to bring to the attention of the delegations of the satellite countries the soundness of our position and our continued interest in their economic welfare and political independence. The degree of their submission to Soviet economic imperialism and political domination, in spite of repeated professions of Soviet concern for their "sovereignty", was brought home to them. However, the voting record was not changed, and the signs of outward solidarity remained. But the policies and actions of the Soviet Union in the Danube region were challenged directly in an international meeting where, at least in the conference hall, no censorship prevailed.

From our point of view, the conference achieved no constructive tangible results. The Danube is still divided between the United States occupation zones and the Soviet area of control. A convention has been signed by the Soviet bloc which undermines the principles of freedom of navigation embodied in the Balkan peace treaties.

Austria and the German sector of the Danube are ignored, and the United States does not recognize the application of the Soviet convention to those sections of the river.

The Belgrade conference marks one more step in the continuing effort to open up the Danube and to work out our differences with the Soviet Union. The immediate results and the conduct of the Conference were discouraging. But lessons were learned, a record established, and ideas put forth that will not be forgotten. The problems of the Danube have not been settled; it remains a dead and divided river.

ECOSOC—Continued from page 381

not only to the American people and to the people of great metropolitan powers, such as the United Kingdom and France, but also to colonial and other dependent areas and to the people now subject to blackouts by censorship and complete state control. We want to open for all of them new windows onto the world. For this they must be given access to adequate information from diverse and unfettered sources of news and information. It is toward this end that my Government will continue to strive, and no obstruction, no procedural devices, no filibusters, will deter us from our course. The result is too important. Knowledge and understanding must provide the basis upon which, in the long run, the peace and well-being of the world can be built.

Emigration Regulations for Men of Military Age From U.S. Zones of Germany and Austria

EXCHANGE OF NOTES BETWEEN THE UNITED STATES AND THE PROVISIONAL GOVERNMENT OF ISRAEL

[Released to the press September 4]

September 3, 1948

SIR: I acknowledge the receipt of your note of August 26, 1948, requesting that the United States military authorities in the American zones of Germany and Austria be instructed to remove present restrictions concerning the inclusion of men of military age in emigration movements from those zones to Israel.

Following the adoption by the Security Council of the Palestine truce resolution of May 29, 1948, the United Nations Mediator discussed the provisions of the truce with representatives of the Provisional Government of Israel and of the Arab states, summarizing his views in his note of June 7th to those governments. In recognition of the responsibility of the Mediator for the supervision of the truce and the responsibility of this Government to give the greatest possible assistance to the Mediator, the Department of State subsequently raised with him the question of the establishment in the United States zones of Germany and Austria of appropriate procedures mutually agreeable to the United States Government and the Mediator which would enable the latter to exercise the immigration controls envisaged in his note of June 7th referred to above. Prior to the conclusion of the Department's exchange of communications with the Mediator on this subject the United States zonal military authorities were instructed temporarily to suspend authorization for the exit of men of military age with end visas for Israel.

As a result of the Department's communications with the Mediator further instructions have now been issued by the United States Government to the zonal military authorities. The instructions provide for the continued prohibition of the exit of emigrants for Israel identified as fighting personnel, and authorize the departure of those men of military age for whom accredited representatives of the Provisional Government of Israel submit to the zonal military authorities advance clearance for emigration obtained from the Mediator by such representatives.

Accept [etc.]

For the Secretary of State:

CHARLES E. SALTZMAN

[Assistant Secretary for Occupied Areas]

No. 1962

August 26, 1948

MY DEAR MR. SECRETARY: I have the honor to bring to your attention the following facts regarding emigration to Israel of men of military age from among the refugees and displaced persons in the U.S. Zones of Germany and Austria and the views of my Government on the matter.

The representative of the Provisional Government of Israel in the United States zone in Germany has been advised by a communication from Headquarters, Munich Military Post, APO 4-7, U.S. Army, that the following personnel are to depart the area of U.S. military control:

"A. Fighting personnel—persons identified as belonging to organized military units as well as persons bearing arms;

"B. Men of military age—men within the age group 18-45. Until receipt of further instructions from this Headquarters, personnel, as defined in Paragraph 1, A and B above, are not to be included in emigration movements to Israel from this area of control."

Through a further communication from Brigadier General Thomas L. Harold, Headquarters, European Command, APO 403, U.S. Army, the Israeli representatives were advised as follows:

"If this position conflicts with any understanding to the contrary on terms of the prevailing 'truce', it is suggested that your government take this matter up with the U.S. Mediator directly and with the U.S. State Department through your representative in the United States."

The State of Israel Mission to the United States respectfully requests the Department of State to instruct the United States authorities to amend the position above set forth by eliminating the above quoted paragraph B since no valid grounds exist for this position so stated under the present truce or otherwise.

1. The Resolution adopted by the Security Council on May 29, 1948, provides in part that the Security Council

"Calls upon all Governments and authorities concerned to undertake that they will not intro-

fighting personnel into Palestine, Egypt, Lebanon, Saudi Arabia, Syria, Trans-Jordan and Yemen during the cease-fire and instructions upon Governments and authorities concerned, should men of military age be introduced into countries or territories under their control, to make sure not to mobilize or submit them to military training during the cease-fire."

provisions of the first above quoted paragraph of the Resolution are met by paragraph A of the instructions quoted above.

Security Council Resolution of May 29, 1948, in its reference to "men of military age" states that should they be introduced into these territories, including Palestine, the authorities should undertake not to mobilize or submit them to military training during the cease-fire." It was clearly contemplated that men of military age would go to Palestine. This is plain from the text of the Resolution but also from the statement of the representative of France who offered the language referred to and stated its purpose "is to prevent the introduction of these various territories of fighting personnel not of men of military age. . . . It is to prevent combatants from entering these territories, but to allow men of military age to go into these territories, on the condition, however, that at least during the Truce they are not mobilized and that they do not receive any military training." (Emphasis supplied) (S./P.V. 310, p. 81) The French proposal, which was adopted, contrasts sharply with the language of the Resolution as originally introduced, which would have precluded all men of military age from going to Palestine. Further emphasizing the intent of the Resolution as adopted is the statement of the United States representative that the original language, which precluded "men of military age" from going to Palestine, must be deleted by the deletion of such provision and acceptance of the French wording, which was incorporated into the final draft of the Resolution (S./P.V. 310, p. 93-100)

The present rulings of the United States Army in Germany are thus wholly inconsistent with the terms of the truce which followed the adoption of May 29. This situation was changed in respect by the Resolution of the Security Council of July 15, 1948, which called upon all Governments and authorities concerned to cooperate with the Mediator, "in conformity with the decision adopted by the Security Council on May 29, 1948" and provides, "the truce shall remain in force, in accordance with the present Resolution and with that of 29th May 1948 . . .".

2. The Mission of the State of Israel to the United States has learned that American authorities recently, however, referred to the Mediator the matter of the emigration of Jewish displaced persons of military age from the United States Zones of Germany and Austria. According to information received, the Mediator has proposed that lists containing names of prospective emigrants should be submitted to him for approval before their departure. This proposal is an attempt to introduce new limitations on Jewish immigration to Israel by vesting in the Mediator arbitrary power to cut off or restrict the number of immigrants of military age. That power was not granted to him by the terms of the Security Council resolutions. The adoption of the proposed procedure would contravene both the letter and the spirit of the Security Council resolutions which are the only instruments governing the present truce. The Provisional Government of Israel has already agreed not to mobilize or train immigrants of military age and is fully prepared to allow the Mediator and U.N. observers to supervise the execution of this undertaking. That undertaking is reiterated here.

3. My Government is deeply concerned regarding the consequences that would ensue from the adoption by the United States military authorities in Germany and Austria of the procedure suggested by the Mediator. Its apprehensions are based, first, on the effect which the continued exclusion of men between the ages of 18 to 45 would have on the displaced persons themselves. Men of military age and their families now form the bulk of the displaced persons in Germany and Austria. The proposed policy would either once again separate the men from their families or more likely penalize them all by inflicting another and indefinite period of enforced idleness and confinement in the camps. Second, my Government is concerned by the effect which the Mediator's proposal will have on the truce itself. If adopted, it will sharply increase the resentment felt by the people of Israel against what appears to be a consistent policy of the Mediator to interpret or apply explicit instructions and resolutions by the Security Council in a manner considered detrimental to Israel.

4. In the light of the above considerations, it is requested that the present refusal by the United States military authorities in Germany and Austria to allow men of military age to proceed to Israel be immediately rectified.

Accept [etc.]

Sincerely yours,
E. EPSTEIN
Special Representative

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Contributors

Sheldon Z. Kaplan, author of the article on the 80th Con-
gress, Second Session, and the United Nations, is an Assistant
to the Legal Adviser, Department of State.

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The Department of State bulletin

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CHALLENGES AND OPPORTUNITIES IN WORLD HEALTH

The First World Health Assembly

by H. van Zile Hyde, M. D.

U.S. Representative, Executive Board, World Health Organization

motives underlying American participation in international health work are both humanitarian and selfish. They are designed to lift the heavy and unnecessary burden of human suffering throughout the world. They are designed also to protect us from invasion of our shores by disease from abroad and to lift the level of world economy through the strengthening of world resources in human manpower.

From the most superficial view of the conditions under which the greatest part of the human race lives, the enlightened age touches the chords of human understanding and sympathy which characterize the American people. During the recent years, millions of young and not so young Americans had glimpses in the Pacific, in India, China, Africa, and Europe—all over the world—of the conditions of their fellow men. They saw the avoidable misery that is the common coin of mankind. The facts have been brought home to us by our missionaries, husbands, fathers, to whom we give a more intimate and sympathetic hearing than to the missionaries and world travelers who have told us the same distant story for many years. The American people have felt for the first time the humaneness of their fellow men who are suffering in a world separated from them by great oceans. There has been an awakening on the part of the American people to the reality of avoidable misery on a large scale accompanied by the natural American reaction—"I must do something to help." The American sense of responsibility for maintaining

the dignity of man as an individual has been challenged as never before. We, as individual Americans, blessed by hard-won freedom, wish to free men from the shackles of avoidable disease and misery as well as from the shackles of political oppression, both of which sin against the decency and integrity of man. This objective would seem to be the great force underlying our desire to pitch into international health work with vigor and force, driven by the American conscience and sense of responsibility.

There are, however, other motives. The greatest of these is our longing for peace. We have seen in the Western World that man will not forever suffer oppression. Today the existence of malaria in any community is a form of oppression. The 300,000,000 people who suffer from the disease annually are awakening to that fact. The same is true today of cholera and plague, diseases that are killing in Asia and threatening millions of our fellow men. No government could stand today in the United States that allowed cholera or plague to sweep uncontrolled over this country as it did only 100 years ago. No government could stand here that let malaria hold sway as it did even 20 years ago. Through international action by UNRRA and the World Health Organization, the people of Greece have learned that malaria is unnecessary. The one to three million cases occurring annually in the Greek population of seven and a half millions have been reduced by an estimated 90 percent. Concurrently, flies and other annoy-

ing and dangerous insects have ceased to distress and destroy the people. No government that denied DDT to the people of Greece could long survive. There is, indeed, an awakening throughout the world, on the part of the people, to the fact that much of their misery is avoidable. This is a force of revolutionary intensity that can be destructive of much that is good in our modern world. On the positive side, it is a force that can be channeled in such a way as to improve the economy and stability of the world.

By helping established governments to free their people of the oppressive chains of disease, we can place those governments on a firmer foundation. It is up to us, the country with the greatest technical know-how, to supply the knowledge needed by democratic governments everywhere to give their people the freedom from preventable disease which is of equal importance to the four freedoms so well known to us. Democracy of its very nature must give the people those things the people most earnestly desire. It must, therefore, today give them the opportunity for health and freedom from disease to the extent possible under present technical knowledge. America is the bulwark of democracy, and as the fortunate repository of technical knowledge in the field of health must take the lead in extending knowledge in health. It has done this in dramatic fashion through Latin America during the war years. The 48 million dollars spent on health work in Latin America during the past six years has been one of the great contributions to the stabilization of the Western Hemisphere during the treacherous years of war and postwar distress. We must extend help and knowledge throughout the world in this field if we wish the true value of the democratic way of life to be felt by the man in the bush, in the hovel, and in the rice paddy.

A fundamental basis of the modern hope for a better world lies in general economic improvement, which is essential if all men are to have the food they need and the goods and commodities which

lift the dreariness of primitive life. The production and active exchange of goods via must be predicated on effective manpower. Today, however, the mass of manpower is not active. Of the two billion persons alive to date, at least half—and that is a conservative estimate—are suffering from chronic or recurrent forms of preventable disease—malaria, tuberculosis, syphilis, schistosomiasis, kala azar, hookworm, filariasis—to mention only a few of the scourges. Human energy, physical and intellectual, is squandered, suppressed, and destroyed through preventable disease on a scale difficult to conceive.

The First World Health Assembly was convened in Geneva on June 24, 1948. This marked the coming of age of the World Health Organization which is today one of the specialized agencies of the United Nations, with a membership of 54 states, representing all colors, and political philosophies.

The Health Assembly met in the Palais des Nations in an atmosphere of international fellowship. The delegations of the member states, the observers, from some 10 other states and from official international agencies, constituted a veritable assemblage of the outstanding public-health experts, official and unofficial, from all parts of the world.

The agenda of the Assembly had been thoroughly constructed and fully documented by the Interim Commission and served as the basis of both technical and organizational discussions. Dr. Andrija Stampar of Yugoslavia, who had served for two years as chairman of the Interim Commission, was unanimously elected president of the Assembly. Upon the recommendation of the Interim Commission five main committees were established, namely: program, relations, headquarters and regional organization, legal administration and finance. All delegations were entitled to membership on each of these main committees, in which the decisions of the Assembly were taken subject to final action in plenary sessions.

am
 e Who program recommended by the In-
 Committee was discussed at some length in
 rlier issue of the BULLETIN.¹ It provided for
 continuation of established international
 activities inherited from the International
 of Public Health, the League of Nations
 Organization, and UNRRA. These include
 international exchange of epidemiological in-
 ation, the development of international
 ards for certain essential preparations used
 gnosis and treatment of diseases, and the
 ation of statistical material. These are
 es upon which governments have long since
 e dependent for the control of disease and
 a, in fact, were continued on an international
 even during the recent war.
 e Interim Commission had, in addition, rec-
 ended an aggressive program directed at the
 extension of technical knowledge with spe-
 mphasis on malaria, tuberculosis, venereal
 se, and maternal and child health. The
 h Assembly in accepting these recommenda-
 assigned a similar priority to environmental
 ation and nutrition. The factors which led
 assembly to this decision are perhaps self-
 t.

anyone who has traveled abroad the impor-
 of environmental sanitation is immediately
 rent, being, indeed, the basic and obvious
 a need of most of the world. Here, in the
 d States, the techniques and results of san-
 control are established traditions in our com-
 ty and personal lives. As ordinary citizens,
 e scarcely conscious of the safeguards to our
 such as the provisions for refuse and sewage
 sal and for pure water supply which we have
 to expect and receive as basic services pro-
 by local governments. Yet filth, bearing
 oid fever, dysentery, cholera, trachoma, pro-
 l, and other infections persist even today as a
 al condition of life among vast populations.
 regard to nutrition, the world today, at a
 al point in history, is acutely aware of both
 uantitative and qualitative aspects of food.
 ecognize that the existing lands and waters
 e earth must be forced to provide foods suf-

Members of World Health Organization

<i>Western Hemisphere</i>	<i>Europe—Contd.</i>
Brazil	Belgium
Canada	Bulgaria
Dominican Republic	Byelorussian Soviet
El Salvador	Socialist Republic
Haiti	Czechoslovakia
Mexico	Denmark
United States	Finland
Venezuela	France
	Hungary
<i>Eastern Mediterranean</i>	Iceland
Egypt	Ireland
Ethiopia	Italy
Greece	Monaco
Iran	Netherlands
Iraq	Norway
Pakistan	Poland
Saudi Arabia	Portugal
Syria	Rumania
Transjordan	Sweden
Turkey	Switzerland
<i>Africa</i>	Ukrainian Soviet
Liberia	Socialist Republic
Union of South Africa	Union of Soviet Socialist
	Republics
<i>Western Pacific</i>	United Kingdom
Australia	Yugoslavia
China	
New Zealand	<i>Southeast Asia</i>
Philippine Republic	Afghanistan
	Burma
<i>Europe</i>	Ceylon
Albania	India
Austria	Siam

ficient in quantity and quality to supply adequate
 nourishment to mankind. It is a particular con-
 cern of the Food and Agriculture Organization
 of the United Nations (FAO) to stimulate produc-
 tion and improve the distribution of food. The
 WHO will concern itself more particularly with
 the qualitative aspects of food—the human re-
 quirements for specific food factors, the basic
 sources of such factors, and their means of pres-

¹ BULLETIN of Apr. 4, 1948, p. 431. See also *World Health Organization—Progress and Plans*, Department of State publication 3126.

ervation—so that the land may be made to yield what is most urgently needed and not be squandered on crops of low nutritional value.

The program adopted by the Assembly will permit the WHO to assist governments in solving their problems in these top priority fields. Such assistance will be given through the loan of experts, demonstrations of control measures by expert teams training of indigenous personnel through fellowships, and exchange of information through publications, conferences, and expert committees. The objective will be to extend, on a broad plane, the technical knowledge which has accumulated at many points throughout the world but is not at present applied to the full benefit of all men.

The Assembly tackled, successfully, the sensitive task of assigning priority to the many other fields of public-health concern. The priority groupings which were adopted will doubtless give direction to the WHO program for many years to come. Of necessity and by common consent many of the most pressing public-health problems of our times—cancer, heart disease, mental health, schistosomiasis—were omitted from the top-priority list. The Assembly was fully aware of the importance of these problems, but realized that the WHO is not in a position to deal with all problems at once. The priority listing must be tested, as it was by the Assembly, not from the standpoint of hope, but from the standpoint of immediate opportunity for significant accomplishment on an international basis.

While acting in the fields of higher priority the WHO will conduct studies, with the assistance of experts, in the many other fields which challenge it. Of particular significance to the general health will be the attention the WHO devotes to the strengthening of national health services, and through them local health services. Public health is probably the most personal and intimate service rendered by governments, affecting the well-being of each individual. The WHO can make its weight felt only by the individual through giving primary attention to the strengthening of national health services, which reach down through local health services. This is and must remain the long-range goal of the WHO, with all action in specific fields contributing to this goal. There was every evidence that governments are ready

and anxious to receive technical help strengthening of their national health. It was abundantly clear at Geneva that demand for such help from the WHO will exceed capacity to supply, over a long period. Demand grows in part from the setbacks of war, more fundamentally, from an awakening of peoples and of governments to the opportunities that exist in modern public health for universal and permanent betterment.

There is a growing awareness of the fact that disease-ridden populations are unproductive therefore a drain upon national economies and upon the world economy. There are an estimated 300,000,000 annual cases of malaria and an estimated 50,000,000 cases of tuberculosis, as well as an unestimated number of cases of other highly debilitating diseases, running into hundreds of millions. These diseases strike in childhood and in the productive years, converting the net producers of the present into net consumers. In connection with this basic need for the strengthening of national health services, the Assembly focused attention upon public-health organization, professional education, public education, nursing, and sanitary engineering as fields in which the WHO should contribute to national development.

Intergovernmental Organizations

The Assembly took the actions necessary to bring the WHO into the family of the United Nations as one of the specialized agencies. Included in the approval of a formal agreement between the United Nations and with the Food and Agriculture Organization, the International Labor Organization, and the United Nations Educational, Scientific and Cultural Organization. These agreements follow the familiar pattern of similar agreements, expressing the intent and providing the machinery for full cooperation.

The Assembly authorized the development of administrative machinery for cooperation with the Economic and Social Council and its commissions and subsidiary bodies, with special reference to the Statistical, Social, Population, Economic and Employment Commissions, and the Commission on Narcotic Drugs. It further provided for rendering assistance to the United Nations in its work on the prevention of crime and treatment of offenders, migration and assistance to in-

gners, standards of living, housing, and town country planning, child welfare, and the con-
tion and utilization of resources It in-
ted the Secretary General of the WHO to
in full cooperation with the Coordination
mittee of the Secretary-General of the United
ons.

pecial attention was given to the relationship
een the WHO and the United Nations Interna-
l Children's Emergency Fund (UNICEF),
h is carrying out extensive health programs
urope and laying plans for health activities
e Far East. In this regard, the Assembly
ted a resolution which included the follow-

ecommends that, pending assumption of respon-
y by the WHO, the health projects financed by
be established by mutual agreement between
and WHO, and that the implementation of these
cts be regulated by a Committee on Health Policy
osed of representatives of the two organizations
g with the advice of the Expert Committees of the

ecommends that

the Joint Committee on Health Policy be a tem-
y body to operate only until all health activities
UNICEF shall have been taken over by the WHO or are
ated;

the same committee should regulate all health pro-
mes and projects of UNICEF already initiated or to
itiated in the future;

in order that there shall not be undue limitation
rompt action under these programmes, the committee
d delegate to the Directors-General, in case of emer-
y, the responsibility for the functions described."

ne Executive Board of UNICEF, which was in
on in Geneva at the time, accepted the As-
sly's recommendation, whereupon the Execu-
Boards of both organizations appointed four
bers each to form the Joint Committee on
lth Policy. The Joint Committee met in
eva on July 23 and 24, 1948.

governmental Organizations

achinery was established for bringing nongov-
mental organizations into relationship with the
o, extending to those organizations the right to
oint a representative to participate, under cer-
defined conditions, in the meetings of the As-
sly or in those of committees and conferences
vened under its authority. Subsequently, the
utive Board, on July 25, admitted seven in-
ational organizations² into relationship with

the World Health Organization. The criteria on
which such relationship is based were as follows:

1. The organization shall be concerned with
matters falling within the competence of the World
Health Organization.

2. The aims and purposes of the organization
shall be in conformity with the spirit, purposes,
and principles of the Constitution of the World
Health Organization.

3. The organization shall be of recognized stand-
ing and shall represent a substantial proportion
of the persons organized for the purpose of par-
ticipating in the particular field of interest in
which it operates. To meet this requirement, a
group of organizations may form a joint com-
mittee or other body authorized to act for the
group as a whole.

4. The organization shall have authority to
speak for its members through its authorized rep-
resentatives; evidence of this authority shall be
presented if requested.

5. The organization shall normally be interna-
tional in its structure, with members who exercise
voting rights in relation to its policies or action.

6. Save in exceptional cases, a national organi-
zation which is affiliated with an international
nongovernmental organization covering the same
subject on an international basis shall present its
views through its government or through the in-
ternational nongovernmental organization to
which it is affiliated. A national organization,
however, may be included in the list after consulta-
tion with, and with the consent of, the Member
State concerned, if the activities of the organiza-
tion are not covered by any international organi-
zation or if it offers experience upon which the
World Health Organization wishes to draw.

Organization

Two of the major actions taken by the Assembly
affecting the organizational structure of the WHO
were the election of the Executive Board and the
delineation of broad geographical areas as the

² League of Red Cross Societies, Geneva; World Med-
ical Association, New York; International Union for Child
Welfare, Geneva; International Council of Nurses, Lon-
don; International Dental Federation, Brussels; World
Federation of United Nations Associations, Geneva;
Inter-American Association of Sanitary Engineering,
Washington.

basis of decentralization of its work and administration.

Executive Board. The WHO Constitution provides that the Assembly shall elect 18 states entitled to designate a person technically qualified in the field of health to serve on the Executive Board. Except for the first election, the term of office is three years. At this first election, terms of one, two, and three years (6 each) were determined by lot. The states elected and the terms drawn are as follows:

COUNTRY	TERM (YEARS)
Australia.....	1
Brazil.....	2
Byelorussian Soviet Socialist Republics.....	3
Ceylon.....	1
China.....	2
Egypt.....	2
France.....	2
India.....	3
Iran.....	1
Mexico.....	2
Netherlands.....	3
Norway.....	1
Poland.....	3
Union of South Africa.....	3
Union of Soviet Socialist Republics.....	2
United Kingdom.....	1
United States.....	1
Yugoslavia.....	3

The composition of the Board reflects the geographic distribution of the membership of the WHO. The fact that only eight of the 22 states of the Western Hemisphere are members of the World Health Organization explains the low representation of this Hemisphere on the present Executive Board.

Regional Arrangements. Recognition of the value of decentralization of the work and the administration of the WHO through regional organizations covering wide geographic areas was one of the most striking trends of the Assembly. There existed in the Assembly a real fear of the development of a large central bureaucracy far removed from the pressing and immediate needs of the people. The Constitution of the WHO provides for the establishment of regional organizations as part of the structure of the WHO. Such organizations will consist of a Regional Committee, made up of members and associate members (dependent territories) within the region, and a Regional Office, headed by a Regional Director appointed by the

Executive Board in agreement with the Regional Committee. During the interim period, action in this sphere had been limited almost exclusively to negotiations with the Pan American Sanitary Organization with a view to its integration as a regional organization of the WHO in the Western Hemisphere.

With extraordinary rapidity, the delegates to the Assembly, meeting in working groups chosen on a geographical basis, arrived at a definition of the geographical areas that will serve as the basis for regional organization. This problem, which might easily have aroused political sensitivity, was speedily solved in a voluntary and wholly democratic way. The areas agreed upon were:

1. *Eastern Mediterranean Area*, comprising the following countries: Egypt, Saudi Arabia, Iraq, Syria, Lebanon, Transjordan, Yemen, Iran, Turkey, Pakistan, Greece, Ethiopia, Eritrea, Tripoli, Tunisia, Dodecanese Islands, British Somaliland, French Somaliland, Aden, Cyprus.

2. *Western Pacific Area*, comprising the following countries: Australia, China, Indochina, Indonesia, Japan, Korea, the Philippines, New Zealand, and provisionally the Malay Peninsula.

3. *Southeast Asia Area*, comprising the following countries: Burma, Siam, Ceylon, Afghanistan, India; the inclusion of the Malay Peninsula await the definite decision of this country as to which regional organization it desires to join.

4. *European Area*, comprising the whole of Europe.

5. *African Area*, comprising the following countries and territories: "A primary region is suggested for all Africa south of the 20 degree parallel of latitude to the western border of the Anglo-Egyptian Sudan, to its junction with the northern border of Belgian Congo, thence eastwards along the northern borders of Belgian Congo, thence eastwards along the northern borders of Uganda and Kenya; and thence southwards along the eastern border of Kenya to the Indian Ocean."

6. *American Area*, comprising the Western Hemisphere.

The Executive Board was instructed to establish regional organizations in these areas as soon as the consent of the majority of member states situated in such areas has been obtained.

in the case of the Southeast Asia region such consent was obtained by the Executive Board at its first session, and upon the invitation of India, it was agreed that the headquarters of this regional organization would be in Mysore. It is anticipated that rapid progress will be made in the establishment of a regional organization in the Eastern Mediterranean Area, with headquarters probably at Alexandria, which has been the center of international health activities in that part of the world for many decades.

The delegations of the European states recommended that no attempt be made at the present time to establish a full regional organization in Europe, but requested that a special temporary administrative office be established somewhere in Europe to assist war-devastated countries in meeting their urgent problems.

The Executive Board was authorized to conclude an integration agreement with the Pan American Sanitary Organization on the basis of negotiations carried on by the Interim Commission.

The proposed agreement, which would not in any case come into force before at least 14 of the present 21 members of the Pan American Sanitary Organization (PASO) become members of the WHO, includes provisions whereby the Pan American Sanitary Conference (PASC) would serve as the Regional Committee of the WHO and the Pan American Sanitary Bureau (PASB) as the Regional Office with the present Director of the PASB serving until the expiration of his present term of office as Regional Director of the WHO. It further provides that the PASC may adopt and promote health and sanitary conventions and programs in the Western Hemisphere which are compatible with the policy and programs of the WHO and separately financed; and that an adequate proportion of the budget of the WHO will be allocated for regional work. Consideration of this agreement has been included in the agenda of the Directing Council of the PASO meeting in Mexico City, October 1-12, 1948.

International Regulations

Under the provisions of article 21 of the Constitution of the WHO, which enables the Health Assembly to adopt international regulations in certain fields, the Health Assembly adopted such regulations governing the codification and publication of vital statistics. These regulations will

become binding on all member states which do not, within one year, reject or make reservations in regard to them before January 1, 1950. The regulations are an outgrowth of several years of study and preparation on the part of the United States Committee on Joint Causes of Death, the WHO Interim Commission's Expert Committee on the International List of Causes of Death and Morbidity, and the International Conference for the Sixth Decennial Revision of the International Lists of Diseases and Causes of Death which was held in Paris in April 1948. Prior to this action by the Assembly the uniformity of national practices in the compilation and publication of vital statistics had depended upon international agreements reached at the Decennial Conferences on Causes of Death which have been held in Paris at regular intervals since 1900.

It is anticipated that adoption of these regulations will increase the uniformity of statistical procedure and therefore the usefulness of worldwide data. It is further anticipated that this first application of the regulatory functions of the WHO will be followed by the development and adoption of regulations governing quarantine practices, the preliminary work on which is far advanced. The WHO is continuing studies initiated by the Interim Commission in connection with the replacement of existing sanitary conventions by international regulations of the WHO.

Budget and Finance

The Health Assembly adopted budgets covering 1948 and 1949. The 1948 budget provides for WHO activities from September 1, the date of the official termination of the Interim Commission, through the end of the year. This budget, totaling \$4,800,000, includes provision for repayment to the United Nations of \$2,150,000 which had been borrowed to cover the expenses of the Interim Commission and establishes a working-capital fund of \$1,650,000. The 1949 budget is \$5,000,000 and provides for the full program adopted by the Assembly. The Director General and the Executive Board were given considerable latitude in the development of the requisite administrative structure. It was generally understood that the program would be carried out through regional organizations as rapidly as these are developed into competent operating bodies.

The scale of contributions adopted by the Assembly is based on that of the United Nations, with some variation due to membership difference. Under this scale the United States will contribute approximately 38 percent of the total budget. At the request of the United States, the scale will be reconsidered at the next Assembly in relation to 1950 financing. The United States Delegation opposed application of the United Nations scale and urged that the WHO adopt a scale which would require no State to contribute more than 25 percent of the budget on the grounds that no single member should pay a disproportionate share of the ordinary expenses of the Organization.

United States Membership

United States membership posed a difficult problem in the first days of the Assembly. Public Law 643 (80th Cong.), which provides for United States membership in the WHO, reserved the right of the United States to withdraw from the Organization on one year's notice. In view of the absence of any provision for withdrawal in the Constitution of the WHO, this provision was viewed seriously by numerous delegations. The Secretary-General of the United Nations, before accepting for deposit the United States instrument of acceptance, indicated his desire to be guided by the Health Assembly in the matter. The United States Delegation was immediately seated by the Assembly, on a provisional basis, with full rights.⁸ Thereafter the pertinent documents were circulated so that the delegations might study the problem and consult their governments. On July 2, 1948, a plenary session was held to consider this question. Sir Wilson Jameson, Chief Medical Officer of England, reminded the Health Assembly of the major part played by the United States in the development of the WHO and of the great contribution of this country to public health. He then asked the Assembly to accept the United States into membership in the spirit of friendly cooperation characteristic of the WHO.

⁸ BULLETIN of June 27, 1948, p. 832.

Sir Dhiren Mitra, of India, emphasized the broad aspects of United States membership and participation as opposed to the narrower legal problem involved, urging that the United States be accepted as a member. He proposed that in order that the United States should not be in a disfavored position than other members, the Health Assembly lay down a proposition of general application that any member state may terminate membership on a year's notice. Dr. Thomas L. Blumhagen, Chairman of the United States Delegation, assured the Assembly of the continuing interest and support of the people and Government of the United States. Finally, Dr. Nicolai Vinogradov, Deputy Minister of Health of the Union of Soviet Socialist Republics, while expressing regret that the United States had made such a reservation, urged that United States membership be recognized. In the absence of objections, the President of the Assembly announced that it was the Assembly's unanimous wish that the United States be accepted as a member and stated that the Secretary-General of the United Nations would be advised in order that the United States Instrument of Acceptance could be deposited. The United States therefore became the forty-sixth member of the WHO on June 21, 1948, the date of the receipt of its Instrument of Acceptance by the Secretary-General of the United Nations.

Conclusion

The First World Health Assembly provided further evidence of the fact that the field of health offers an unusual medium for effective and harmonious international cooperation. The Health Assembly was dominated by the same spirit of professional fellowship which characterized the International Health Conference in New York, 1946. In this atmosphere the Assembly took decisions giving form and impetus to the World Health Organization. The program adopted at the organizational pattern created offers promise of real and immediate service in advancing health standards throughout the world.

THE UNITED NATIONS AND SPECIALIZED AGENCIES

Assassination of Count Folke Bernadotte, U.N. Mediator in Palestine

STATEMENT BY SECRETARY MARSHALL

[Released to the press September 17]

I am deeply shocked to learn of the assassination of Count Folke Bernadotte in Jerusalem. His whole life has been one of assistance to mankind. During the past four months Count Bernadotte has been acting as the representative of the United Nations in an endeavor to bring peace to Palestine. It is particularly regrettable that he should have been shot down at a time when he had achieved such a great measure of success. I am convinced the world will demand that the work he so effectively commenced be vigorously pursued. To Countess Bernadotte and children I extend my deepest sympathy. The world will bitterly regret his loss.

MESSAGE FROM REPRESENTATIVE OF SECRETARY-GENERAL TO ISRAELI FOREIGN MINISTER¹

Message dated September 17, 1948, From Ralph J. Bunche, Personal Representative of the Secretary-General, to Moshe Shertok, Foreign Minister of Israel, Concerning Assassination of United Nations Mediator

The murder in cold blood of Count Bernadotte, United Nations mediator in Palestine and of Colonel Serot, British commandant of Jerusalem today by Jewish extremists is an outrage against international community and unspeakable violation of elementary humanity. This tragic act occurred when Count Bernadotte, acting under authority of the United Nations, was on official tour of duty in Jerusalem in the presence of liaison officer assigned to him by the Jewish authorities for his safety and the protection of his lieutenants under the ordinary rules of international order was a responsibility of Provisional

Government of Israel whose armed forces and representatives control and administer the area.

This act constitutes a breach of the truce of utmost gravity for which Provisional Government of Israel must assume full responsibility.

In this connection I feel obliged to record my view that prejudicial and unfounded statements concerning truce supervision attributed to you and Colonel Yadin as having been made at your press conference in Tel Aviv Thursday September sixteen and as reported in *Palestine Post* September 17 are not the kind of statements which would be calculated to discourage reprehensible acts of this kind.

PRELIMINARY REPORT FROM AMERICAN CONSUL GENERAL AT JERUSALEM

[Released to the press September 17]

The Department of State released on September 17 the following preliminary report from the American Consul General at Jerusalem, John Joseph Macdonald, concerning the death of Count Folke Bernadotte, U.N. mediator

Regret report Count Bernadotte and Col. Serot, French officer and senior U.N. observer, Jerusalem, killed this afternoon about 1700 hours (local time), presumably by Stern gang. Convoy in which he was riding was returning from Government House. As they passed through Katamon, Jewish-held area, jeep suddenly appeared blocking route, containing four men, two of which proceeded to Count's car.

Col. Frank Begley, U.N. Security Officer, grappled with one and was slightly wounded in face. Second reached to Count's car and assassinated two men at point-blank range with Sten gun. Jeep succeeded in escaping.

Above is preliminary report. Full report will follow.

¹N. doc. S/1004, Sept. 18, 1948.

The United Nations Charter: A Standard for Conduct Among Nations

BY SECRETARY MARSHALL¹

I greatly appreciate the invitation to meet with you today. By virtue of your positions of leadership in the legal profession you have an opportunity to influence the thinking of our people to a marked degree. I have particularly in mind the legal complexities of some phases of our international relations.

The members of your profession are ideally prepared and situated, I think, to help our people to an understanding of the character of the United Nations—both as to its potentialities and its limitations. The organic law of the United Nations is the Charter, just as the organic law of our country is the Constitution. I am repeatedly impressed by the fact that very few people have actually read the Charter, and even the few who have read it have really given little thought to the procedure it authorizes and the obligations it imposes on us as a nation. Familiarity with the provisions of the Charter is absolutely necessary to a consideration of its possible amendment. We cannot change the basic law of the United Nations or substitute other forms and procedures—no matter how desirable we might consider such changes—without the agreement of a two-thirds majority of the Member countries, including the unanimous vote of the five major powers. Some 57 countries are involved with us in solving this problem.

This is the kind of elemental information that our people need to understand. The failure to grasp these fundamental facts accounts largely, I think, for the impatience many people feel at what they consider the shortcomings of the United Nations. The American likes to get things done in a hurry and overlooks the fact that others do not move at the same pace. In contrast, the legal profession is by nature and training analytical and deliberate—sometimes it seems to laymen exasperatingly so. For this reason, the members of your profession are admirably fitted to temper the wind of public criticism arising from misunderstanding and impatience and to guide the people in an appreciation of the real nature of the problem. It is all to the good, by the way, that the criticism of the Charter in this country comes from those who wish to strengthen, and not weaken, the United Nations.

Our own Constitution was fashioned to serve the needs of a homogeneous people speaking the same language. Yet we had an early period of

struggle over the interpretations of the provisions of that instrument and the modifications required. We had provisions, for example, that in no case should slavery be permitted; any one state to block amendment; the slavery problem was largely responsible for the delay in ratification.

Amendment of a constitution, in this case the United States Constitution, is an involved process that requires both patience and long sustained effort. It is remarkable that the United Nations Charter should undergo a comparable process of interpretation and refinement. It is illogical, but understandable, to complain because in the case of the United States this process has not gone further in the short and highly turbulent years of its existence. John Marshall, after having served as Chief Justice for 30 years, wrote to Joseph Story:

"I yield slowly and reluctantly to the conviction that our Constitution cannot last."

We need to exercise even more patience and endurance with respect to the United Nations. When we consider that it is an organization of 58 countries speaking different languages and made up of people with widely varying religions, laws, customs, and habits of life. The fact that we have been able to create a going concern of such a multitude of diverse elements is little short of miraculous. To disrupt it would be a tragic mistake. These are some of the factors that need to be impressed on our people.

It seems to me also that many miss the cardinal fact that the United Nations was created to maintain the peace, not to make it. You are all aware that we have not had a real state of peace since the end of hostilities and that the task imposed on the United Nations has been far more than it was designed to handle, certainly at this early stage of its development. In spite of this, I believe that important progress has been made.

You lawyers must help us to remind our people that the United Nations is a place for negotiation among governments and that such negotiations require patience and long debate. In an inflamed political situation, a quick decision upon the merits might call for immediate enforcement, perhaps by war. Protracted negotiations may be desirable as a poultice to draw some of the fever out of the problem in order to permit recovery through peaceful methods of settlement. Military force is a dangerous substitute.

The most urgent requirement of our age is the establishment of a world order securely based on law.

¹ An address made before the Federal Bar Association in Washington on Sept. 15, 1948, and released to the press on the same date.

le of law. The great difficulty is that, just efficacy of law within nations depends on acceptance and support of law by the mass of is built up over a long period of time, internal law depends on the acceptance and support of sovereign nations, and these nations have been accustomed to being a law unto them-

This is the central problem with which peoples of the United Nations must cope.

ference to the rules of conduct laid down in Charter is a slow development. But if you follow United Nations debates for a while, could be impressed by the fact that the Charter is acknowledged as the over-riding standard of act among nations. No government debates in the United Nations on the basis of a disregard for the Charter, nor does any government like to admit or have it said that it is in violation of the Charter. This is an important element in the development of world law. The fact is that the Member nations of the United Nations are constantly making international law the familiar process of reaching decisions on local matters as they arise.

regard these problems from the standpoint of having daily to deal with critical situations requiring prompt decisions. The pace is such that must act before there has been time for public discussion and the formation of a clear public opinion on the subject in this country. The mass of our news illustrates this situation. In international meetings alone there are over 6,000 daily news items a year. That means that every few minutes every working day an American represent-

ative must be prepared to state our views somewhere in some meeting on a matter of policy. This imposes upon us a discipline to which we have not been accustomed in our history. It presents both a very heavy responsibility and a great opportunity.

Underlying the great mass of actions we must take, I realize the necessity for a philosophical approach, for the formulation of theory and broad policy to give meaning and direction to our practice. Continuous and vigorous public debate, in which you yourselves might take a leading part, is essential if our policy and our practice are to continue to reflect the broad objectives of the democracy.

Finally, we are naturally inclined to view the future international order as merely a projection of the one we have evolved in this country. Our institutions do contain a core of fundamental principles which we should never compromise. Yet, to establish a workable system of international law, we must not confine our thinking to a mere extension of Anglo-Saxon law. If it is to be international law with the support by all peoples, it must necessarily be a blend of many concepts and systems. A genuine spirit of tolerance and understanding is the first ingredient in making the kind of world we want. That spirit, combined with patience, determination, and hard work and applied through the United Nations, can advance us toward the goal of a peaceful community of nations governed by a system of law respected by all. Here at home the passions of the moment must not be permitted to dim the great fundamentals of our system.

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¹ Printed materials may be secured in the United States from the International Documents Service, Columbia University Press, 2960 Broadway, New York City. Other materials (mimeographed or processed documents) may be consulted at certain designated libraries in the United States.

THE RECORD OF THE WEEK

Disposition of the Former Italian Colonies

U.S. POSITION IN THE COUNCIL OF FOREIGN MINISTERS

[Released to the press September 14]

Under article 23 of the treaty of peace, Italy renounced all right and title to the Italian territorial possessions in Africa, i.e. Libya, Eritrea, and Italian Somaliland. This article also provided that these possessions, pending their final disposal, should continue under their present administration (British in all of the territories except the Fezzan area of Libya administered by the French).

In accordance with annex XI of the treaty, the Deputies of the Foreign Ministers of the Four Powers (U.S., U.K., U.S.S.R., and France) during the past year have considered the question of the disposition of the former Italian colonies. The Deputies sent a Commission of Investigation to the territories in order to collect necessary data and to ascertain the views of the local population. After studying the three reports of the Commission and the views of the other interested governments as well as those of the Governments of Egypt and Italy, the Deputies completed their recommendations, which were not unanimous, to the Council of Foreign Ministers on August 31, 1948.

The position taken by the United States in the Deputies' meetings and now being taken in the Council of Foreign Ministers is briefly summarized as follows:

A. Italian Somaliland. This former Italian colony should be placed under the trusteeship system of the United Nations with Italy as the administering authority. The duration of this trusteeship should be undefined. The American Deputy also agreed to proposals for determining the boundary between Ethiopia and Italian Somaliland and a small rectification of the boundary between Italian Somaliland and British Somaliland. The proposals provided further for the method of transfer from British to Italian administration under which Italy would undertake to abide by the terms of the agreement which would establish, in accordance with the Charter of the United Nations, the terms of trusteeship applicable to Italian Somaliland, and provided that Italy would accept the frontier arrangements specified. Italy would also undertake to negotiate with the United Kingdom the settlement of outstanding economic and financial matters affecting the territory.

B. Eritrea. The United States recommended the cession to Ethiopia of the southern section of Eritrea including the Danakil Coast and the districts of Akkele Guzai and Seraye (the new frontier would start at the Gulf of Zula, following the

northern border of Akkele Guzai and Seraye districts to the Ethiopian frontier). This would only provide Ethiopia with an outlet to the sea through Assab but would include in Ethiopia a large section of the Coptic Christian population of the highlands of Eritrea. The United States further proposed that the Foreign Ministers recommend to the General Assembly of the United Nations that the question of the disposition of Eritrea be postponed for one year in order that it might be given further study before attempting to come to a definitive solution. The United States Government felt this course necessary because of the difficult problems involved, part of the population being predominantly Moslem and much of the population being mixed Moslem-Christian. Moreover, there was a considerable divergence of views among countries participating in the Commission of Investigation and diverging opinions on the part of other interested governments presenting views to the Deputies.

The United States strongly advocated that during the period of postponement Italians formerly resident in this area should be allowed to return to their homes, since it is recognized that postponement would work further hardship on these people who have been unable to make plans for the future. The United States Government considered that it would be equitable and just to allow them to return, whatever the final disposition of the territory may be.

C. Libya. The United States recommended that Cyrenaica be placed under the trusteeship system of the United Nations with the United Kingdom as administering authority. This Government recognized that the British, in view of their policy toward the Senusi of Cyrenaica, could not agree to the area's reverting to Italian administration. At the same time this Government felt that under British trusteeship the people of Cyrenaica could eventually realize their ambition for independence. The United States further proposed that the Foreign Ministers recommend to the General Assembly of the United Nations that the question of the disposition of the remainder of Libya be postponed for one year because of divergences of opinion in the Commission of Investigation among the other interested governments. In recommending that the disposition of Tripolitania be postponed, the United States strongly advocated that, as in the case of northern Eritrea, Italians formerly resident in Tripolitania should be allowed to return to their homes during the period of postponement.

American Diplomatic Personnel Detained in Rumania¹

A. Note to Rumania²

The following note was delivered on September 7, 1948, by the American Minister to Rumania, Rudolf E. Schoenfeld, to the Chief of Protocol of the Rumanian Ministry of Foreign Affairs

The Legation of the United States of America presents its compliments and has the honor to acknowledge the receipt of the Ministry's note No. 541 of September 9 requesting the recall of Messrs. Green and Fisher and Misses Garr and Maggard, members of the Legation staff, and asking in justification of the Ministry's request that two of the persons in question had been "surprised in the act of taking photographs in forbidden zone" which was further defined as having "divers points in city and port of Giurgiu". The United States Government has complied with the desire of the Rumanian Government that these persons be withdrawn from Rumania. In so doing, however, the United States Government informs the Rumanian Government that the latter's representations with regard to the actions of the members of the American Legation staff do not conform to the facts.

No member of the group took any photographs whatever in the city or port of Giurgiu, or indeed any locality in the vicinity of Giurgiu. The facts regarding the detention of the members of the American Legation by the Rumanian authorities were as follows:

The Legation members in question proceeded on September 6 in a properly documented Legation automobile from Bucharest to Giurgiu. They were stopped by the police in Giurgiu and were detained incommunicado for some 17 hours. During that time they were repeatedly refused permission to telephone the American Legation in Bucharest. For 16 hours no member of the group was allowed food or water. They were subjected to considerable discomforts, to intermittent interrogation and to deceptive artifices apparently designed to extract supposedly incriminating evidence. They were not released until shortly before noon on the following day. Meanwhile, the Ministry for Foreign Affairs, which had been notified in the early evening of September 6 by the Giurgiu authorities of the detention of the American Legation personnel and which, as a result of the customary notification, could not but have been fully aware of their status, did not order their immediate release but wrote a note to the

Legation which was not delivered until the morning of September 7, reporting the detention and asking for "details" regarding the persons concerned.

In the circumstances, the United States Government categorically rejects as contrary to fact the representations of the Rumanian Government against the personnel of the American Legation and reiterates the energetic protest made orally by the American Minister and affirmed in the Legation's note No. 361 of September 8 against the inexcusable action of the Rumanian authorities in detaining members of the American Legation in denial of the diplomatic courtesy such officials are customarily entitled to expect.

Summary of American Minister's Visit to Rumanian Foreign Office

On the morning of September 7, 1948, the American Legation at Bucharest, Rumania, received from the Rumanian Ministry of Foreign Affairs a note dated September 6,³ advising the Legation that four persons, Miss Peggy Maggard, Mr. Paul Green, Miss Ruth Virginia Garr, and Mr. Wayne Fisher had been detained at Giurgiu for taking pictures in the city and port there; that the former had their passports; that the two latter had no identification. The Foreign Ministry's note, stating that these persons had said that they were employees of the American Legation, requested confirmation and details regarding them.

Upon receipt of this note the American Minister to Rumania, Rudolf E. Schoenfeld, called upon the Chief of Protocol of the Rumanian Foreign Office, Constantin Zaharia, and told him that these persons were members of the Legation; that, from its own records, the Foreign Office was in position to establish their identity; that they should be released instantly; that, without a moment's delay, he should arrange this with the authorities at Giurgiu; that it was inadmissible that they should detain any diplomatic personnel; that if the authorities at Giurgiu did not understand the gravity of holding members of the American Legation, the Foreign Office should have understood it and arranged for their release without having to inquire of the Legation; that if there had been any impropriety on their part, the persons in question should be released first and the matter would be

¹ Released to the press on Sept. 16, 1948.

² Printed from telegraphic text.

³ Not printed.

discussed afterward; and that, meanwhile, the American Minister would answer for them.

The Minister added that he would wait in the office of the Chief of Protocol until the latter had made such arrangements. Mr. Zaharia said that he could not phone; that he did not have sufficient personal authority; that the matter required the attention of the Acting Minister for Foreign Affairs, Eduard Mezincescu. The American Minister replied that if Mr. Zaharia did not have the authority, he would see Mr. Mezincescu immediately. Mr. Zaharia said that the latter would not be in for a half hour. Mr. Schoenfeld said he would wait. Mr. Zaharia remarked that he did not wish to bother the American Minister. Mr. Schoenfeld assured him that he was already bothered. Mr. Zaharia then promised a reply within the next half hour.

The American Minister told Mr. Zaharia that the United States Government would regard the detention of any United States diplomatic officer as a grave matter. He pointed out how seriously the Rumanian Government would undoubtedly regard the detention of one of its diplomatic officers in the United States by local police. Reiterating that he expected immediate action in effecting the release of these members of his staff, the Minister asked to be informed when they had been released and when they were leaving Giurgiu and requested details of the entire situation.

The officials who had been detained by the Giurgiu police authorities were permitted to inform the Legation by telephone at 11:15 that morning and released at 11:30 A.M.

U. S. Note to Rumania ⁴

In response to the Rumanian Foreign Office note described above the American Legation sent a note of September 8, 1948, the text of which was as follows

The American Minister presents his compliments to Her Excellency the Rumanian Minister for Foreign Affairs and, referring to the Ministry's note No. CB 1000.417 of September 6, 1948 advising of the detention of four members of the Legation staff by the police authorities at Giurgiu on that date and to the representations made to the Chief of Protocol regarding their release, has the honor to record an energetic protest against the action of the local authorities at Giurgiu in detaining members of the American Legation after they had established their identity.

Mr. Schoenfeld desires to request, for transmission to his government, a full report of the circumstances surrounding the action of the authorities in question and an indication as to any measures taken with respect to the authorities responsible for that action.

⁴Printed from telegraphic text.

Rumanian Note to U. S. ⁴

On September 10, the American Minister called upon the Acting Rumanian Minister of Foreign Affairs, at the latter's request, and was told that the Rumanian Government took a serious view of actions of the Legation members in, as he alleged, taking photographs of restricted areas in Giurgiu. This, he said, was in violation of Rumanian law and an abuse of diplomatic privileges. Accordingly, Mr. Mezincescu handed the American Minister a note to this effect dated September 9, 1948, which read as follows

With reference to note No. 361 of September 6, 1948 of the Legation of the U. S. A. in Bucharest, the Rumanian Ministry of Foreign Affairs has the honor to acquaint the American Legation with the following:

On September 6, 1948, authorities of the city of Giurgiu apprehended passenger automobile No. 439/1948 in which were four people—two women and two men driving around at reduced speed near the outskirts of the city and port. According to the depositions of numerous witnesses and direct reports of the police agencies, the two women who were in the car had photographed divers points of the city and port despite the fact that there were large signs in these areas plainly marking "photographing prohibited".

The car was halted by police authorities who proceeded to identify the occupants. The latter stated they were employees of the United States Legation, Bucharest, i.e., Peggy Maggard, clerk, holder of U. S. passport No. 2913; Paul Greer, Attaché, holder of U. S. passport No. 606; Ruth Virginia Garr, clerk, and Wayne W. Fisher, Third Secretary of Legation-Vice Consul.

The two latter presented no identification whatever. Since the above-named persons were surprised in the act of taking photographs in a forbidden zone—an act punishable by Articles 111 and 194 of the Rumanian Penal Code, as well as Law 128 of March 4, 1946, they were detained for the purpose of checking their identity. Confirmation as to the status and function of the persons named above was requested of the American Legation the evening of September 6, 1948 by note No. AMCW E. CB No. 100.417 addressed to the Legation.

Mr. Schoenfeld, American Minister at Bucharest, confirmed the status of the persons guilty of the above-mentioned offenses as members of the Legation in the course of an appointment granted him by the Chief of Protocol of the Rumanian Ministry for Foreign Affairs. Subsequent to this confirmation, the persons were released.

In view of the above, the Rumanian Minister for Foreign Affairs rejects as lacking any basis

ever the protest made by the Legation in 361 of September 8, 1948.

bringing the above to the attention of the American Legation, the Rumanian Ministry for Foreign Affairs desires at the same time to point out that this is not the first time employees of the United States Government, having an official position and enjoying diplomatic protection accorded by the Rumanian Government in accordance with international usage, have undertaken acts or committed deeds which affect the security of the Rumanian state.

Considering the fact that these employees of the American Legation in Bucharest over-stepped the limits of their mission in a manner constituting abuse and used the status of diplomatic immunity which they enjoy to carry out an act of espionage by obtaining photographic documents regarding the national territorial defense of the Rumanian Popular Republic, the Rumanian Government energetically protests against these abuses. Certain members of the American Legation states it no longer desires the presence in the country of the persons named below: Peggy Maguire, Paul Green, Ruth Virginia Garr, Wayne Fisher.

The Rumanian Ministry of Foreign Affairs therefore requests the Legation to inform the Department of State that the Rumanian Government desires their recall be effected in the shortest possible time.

The Rumanian Ministry for Foreign Affairs assures the American Legation of its high consideration.

Further Request of American Minister to Acting Rumanian Foreign Minister

The Acting Rumanian Minister of Foreign Affairs stated to the American Minister that he had received a report from the Giurgiu authorities, supported by eye-witness testimony, that the group had been seen taking photographs in an area clearly marked "no photographing."

The American Minister told Mr. Mezincescu that the four members of the Legation had given the Legation a detailed report (see below) in which they stated positively that they had taken pictures whatsoever in the town or port of Giurgiu. The American Minister asked why, if they had actually been seen taking photos in a restricted area, they had not been stopped by the authorities and asked for their films. Mr. Mezincescu said that the Rumanian authorities ordered civilians to keep watch and that these civilians had definitely observed the Legation members taking pictures. The American Minister pointed out that there were thus two versions of the facts but that the employees in question had never misinformed him. The Acting Foreign Minister suggested that if the United States

wished to submit these persons to the jurisdiction of the Rumanian courts, the questions of fact could be determined by the appropriate authorities in accordance with Rumanian laws.

The American Minister called attention (1) to the lengthy detention of the Legation members by the local authorities after they had established their identity and (2) to their report that they had not been permitted to communicate with the Legation. The group said that from about 7:30 in the evening of September 6 they had repeatedly sought permission to telephone the Legation but had not been allowed to do so until late the following morning.

The Acting Rumanian Foreign Minister said that Mr. Zaharia, the Chief of Protocol, had made a number of unsuccessful attempts on the evening of September 6 to reach members of the American Legation by phone, including the Minister and the Counselor, Henry P. Leverich, to confirm the identity of the persons detained. The American Minister pointed out that it appeared very strange that Mr. Zaharia had not been able to reach any one connected with the Legation since there was an officer on duty there throughout the night and that the Minister had been either at his office or at his residence all that evening.

As for the question of identification, the American Minister told the Acting Foreign Minister, as he had told the Chief of Protocol, that the group had identified itself. It was further remarked that the Foreign Office note of September 6 indicated that the authorities had mistaken the name of Miss Maggard although she had presented her passport. Mr. Zaharia had likewise given the excuse that the Foreign Office did not know Mr. Fisher since he was not on the diplomatic list of June 17. The American Minister pointed out that Fisher having arrived only recently his name, of course, would not appear on the June 17 list, but that the Foreign Office had been notified of his arrival and had also been given details regarding him in a Legation note of August 2. Consequently, the American Minister emphasized that the group was not responsible for any misunderstanding in this regard.

The American Minister told the Acting Rumanian Foreign Minister that he would transmit the Foreign Office note of September 9 to his Government and revert to the matter again upon receipt of its views.

On September 15, 1948, upon instructions from the Department, the American Minister delivered to the Chief of Protocol of the Rumanian Foreign Office the note contained herein.

Although three of the Legation members who were detained by the police at Giurgiu had in their possession cameras and in the countryside en route had taken a total of seven pictures consisting only of photos of an ox-cart and peasant, a herd of water buffalo, and a native well, these photographs

were taken more than 30 miles from Giurgiu. The cameras had then been placed in the group's baggage and were not removed again during the rest of the trip. Development of the exposed film has shown no pictures taken at or near Giurgiu.

Account of Detention of American Diplomatic Personnel by Rumanian Security Police

There follows an account of the detention by the Security Police at Giurgiu, Rumania, on September 6-7, 1948, of two officers and two clerks of the American Legation at Bucharest, along the lines of a statement signed by them

A group composed of Wayne W. Fisher, Third Secretary and Vice-Consul; Paul H. Green, Attaché; Miss Ruth V. Garr, Clerk, and Miss Peggy M. Maggard, Clerk—all official American members of the Legation staff—left Bucharest at 3 p.m. September 6, 1948, in an automobile bearing diplomatic tags, to visit Alexandria, the Danube port of Giurgiu, arriving at the latter place at 6 p.m. After stopping in the port area for about five minutes, they drove to the city square which is on a direct route back to Bucharest.

Although the port area was guarded they encountered no difficulty in entering or leaving it. However, as they entered the city square, their car was hailed by a policeman ostensibly for purposes of traffic control. Mr. Green, who was driving, inquired as to which street led from the square to the main Giurgiu-Bucharest highway. Thereupon, a man in civilian clothes who was standing near the policeman jumped upon the running board alongside Mr. Green, indicating that the road to Bucharest branched off from the street by which the car had entered the square and that he would assist in directing them to that point.

After they had driven around the square, the group became suspicious and questioned the man's knowledge of the route; but he insisted that the car should turn back into the street leading toward the port area. When Mr. Green motioned to the man to get off the running board, the latter seized the car's steering wheel and pulled the machine to a stop.

Concluding by now that the man must be a police agent, Mr. Green showed his diplomatic passport and demanded that they be permitted to proceed without further hindrance. Thereupon, the man produced credentials which identified him as an agent of the Siguranta (Security Police) and insisted that the car, with all of its occupants, accompany him to the Security Police headquarters. The agent informed Mr. Green that he had orders to stop the car and made it clear that he was determined to do so regardless of the car's diplomatic identification. He insisted that the vehicle be driven to the Security Police headquarters which was on a narrow dark side street about 100 yards off of the main thoroughfare.

Mr. Green drove to a junction of the streets where he parked the car near the curb under a street light, refusing to enter the side street. The agent renewed his demand that the automobile be taken to the headquarters, stating that it was necessary to search it. Mr. Green again refused, insisting on the diplomatic immunity to which he was entitled.

Meanwhile, five other agents had appeared and stationed themselves on both sides of the automobile. Thinking that the agents might be using the provisions of diplomatic immunity, accompanied one of the agents to the Security Police headquarters.

When he had left, the other agents began to claim that the Americans had been seen photographing the port area and demanded that the car be surrendered to them.

All five agents were speaking simultaneously. As their demands became more insistent, the agent who had originally stopped the car made efforts to open its front door in an apparent attempt to enter the vehicle. Twice the door was shut by the occupants with a warning to the agents concerning the diplomatic character of the car.

When after 45 minutes Mr. Green did not return, Miss Maggard, who had her official passport with her, went to the police headquarters, in the company of one of the remaining agents, to make inquiries.

In the meantime, Mr. Green had been taken to the office of the Chief of the Siguranta. The Security Police Chief, a certain Nedelcu (Va), appeared after 20 minutes and, upon reading the reports submitted to him by several agents, requested Mr. Green's passport and information regarding the other three passengers of the car.

Having called the attention of the Security Police Chief to his diplomatic status and the irregularity of such proceedings, Mr. Green supplied the names of the other three Americans together with their positions at the Legation. Mr. Nedelcu asked the reason for the detention of the group and was informed that charges had been made that they were photographing in the port area. The Security Police Chief demanded that a car be surrendered. Specific accusations of espionage photographs were made against Miss Maggard (who had by this time been brought into the Security Police Chief's office) although she had no camera. Mr. Green informed Nedelcu that no member of the group had taken any photographs either in the city or port area of Giurgiu.

Once more, Mr. Green called Nedelcu's attention to his status as a diplomatic officer and that, in such circumstances, his detention was highly improper. He demanded that, if the group were not released, it be released immediately. The Security Police Chief informed Mr. Green that the group was not under arrest and would be detained so long as it would take to confirm by teleph

ugh the Rumanian Foreign Office, the indi-
al status of the persons in the group—a matter
ive or ten minutes”.

t 7:45 p.m., when it became evident that the
p's release was not imminent, Mr. Green
ht permission of the Security Police Chief
telephone the American Legation. This was
ed. At 8:30 p.m. Mr. Green again requested
r the release of the group or the right to tele-
ne the American Minister. Nedelcu again re-
but stated that the group would be released
mediately if the camera which had allegedly
used in photographing the port area were
surrendered. Once more, Mr. Green refuted the
ge that any member of the group had taken
ares in that area, at which the Security Police
f became indignant and asserted that none
he group would be released until a camera
surrendered.

t 9 p.m. Miss Maggard asked for some food but
informed by Nedelcu that he himself had not
n since lunch and that he thought she could
until her release before eating. No member
he group was allowed anything to eat or drink
16 hours. Not until 10:30 the following morn-
did they receive some bread and fruit pur-
ed by an agent at the insistence of the Ameri-
with money which they supplied.

rom 9 p.m. until 2 a.m. the Chief of the Se-
ty Police intermittently interrogated Miss
ggard and Mr. Green, continuing to insist that
amera be handed over. Repeatedly, Mr. Green
ested either their release or permission to tele-
ne the American Legation.

ortly after midnight, for a period of 20 min-
Mr. Green was allowed to leave the Security
ce headquarters, in the company of an agent,
isit the car. He discussed the developments
a Mr. Fisher who agreed to remain in the car
Miss Garr until the entire group was released
not to take any action by way of moving or
ing it except after personal communication
Mr. Green.

he Chief of the Security Police quit his office
bout 2:30 a.m., leaving Miss Maggard there
leep on a bench. Mr. Green was compelled
leep on the floor in another room. A request
hem for blankets was met with the response
the office possessed none.

r. Fisher and Miss Garr remained in the car
ughout the night, surrounded continuously
rom two to seven agents. Four times during
night unsuccessful attempts were made to in-
e the occupants to leave the car or move it to
Security Police headquarters. Early in the
ing a false message purportedly from Mr.

Green had been transmitted by three agents in-
cluding the Security Police Chief, Nedelcu, to the
effect that a camera was to be given to agents.
Somewhat later, four more agents appeared and
stated that orders had been issued to have the car
moved to the Siguranta headquarters, claiming
falsely that Mr. Green had agreed to this. When
Mr. Fisher refused to comply, the agents left.

At 1:00 a.m., September 7, two agents came
again to the car and falsely stated that the Ameri-
can Minister had asked to talk to Mr. Fisher and
Miss Garr on the telephone and that the car would
remain under guard in their absence. Mr. Fisher
declined to leave the car and reminded the agents
again of the diplomatic immunity of the car and
members of the group. At 2 a.m. the Security
Police Chief, accompanied by three other agents,
came to the car and vehemently demanded, on
order of the Minister of the Interior, that Mr.
Fisher move it to their headquarters.

On September 7 at 7 a.m. the questioning of all
four Americans was resumed along the same lines
as previously. Mr. Green immediately renewed
his demand that they be released and his request
for permission to telephone the American Min-
ister. The Chief of the Security Police replied
that orders had been given from “higher up” that
no telephone contact with the American Legation
was to be allowed.

Mr. Green was asked by the Security Police
Chief to arrange for moving the car to the police
headquarters, which Mr. Green refused to do. At
9 a.m. another attempt was made to accomplish
this on the pretext that the car was obstructing
traffic, but Mr. Fisher refused to comply.

At 11 a.m., September 7, Mr. Green was told
that, since his passport was in order, he would be
permitted to proceed to Bucharest by train, the
other three members of the Legation staff were
to be detained. Mr. Fisher was informed that the
Foreign Office had telephoned the American Lega-
tion which said it had no record of him. Mr.
Green stated that he would remain with the others.

Finally, at 11:15 a.m., Mr. Green was given
permission to telephone the American Legation
where he was informed by the Legation's admin-
istrative officer, Denzil L. Page, that the American
Minister was already informed of the incident and
had taken steps to have the group released im-
mediately. This was the first break in the group's
state of being held incommunicado since it had
been apprehended 17 hours previously.

At 11:30 a.m. the Chief of the Security Police
informed the group that it was free to proceed to
Bucharest, which it did, arriving there at 1:30 p.m.

Rumanian Nationalization Legislation Considered Violation of Peace Treaty

U.S. NOTE TO RUMANIA DELIVERED ON SEPTEMBER 7

[Released to the press September 14]

I have the honor to state that I have been instructed by my Government to convey to the Rumanian Government the following comments upon the recent Rumanian Legislation for the nationalization of industrial, banking, insurance, mining, transportation and other enterprises:

The United States Government considers the provision in Article 1 of the above-mentioned law exempting enterprises formed on the basis of a special convention between the Rumanian Government and a foreign Government and the provisions of Chapter I, Article V to be a serious discrimination against the rights of United States nationals in Rumania, which is expressly prohibited by Article 31 (c) of the Treaty of Peace between the Allied and Associated Powers and Rumania, signed at Paris on February 10, 1947. By the application of the terms of the Rumanian law to various enterprises owned by United States nationals and by the exemption of Soviet-owned enterprises and Soviet interests in certain other enterprises the Rumanian Government has clearly violated its obligations to afford most favored nation treatment in all matters pertaining to commerce, industry and other forms of business activity under Article 31 (c) of the Treaty of Peace. The United States Government considers that the rights of its nationals with respect to properties reacquired in accordance with the terms of the Treaty are equal to and must be accorded the same recognition as the rights of any United Nation

with respect to the ownership of property in Rumania.

The United States Government has noted Chapter 4 of the Rumanian law with respect to the procedure for the determination of the compensation to owners of affected enterprises. Chapter 4 contains no provisions for hearing or appeal.

With further reference to Chapter 4, the United States Government feels that compensation in the form of bonds of the fund of nationalized industries, redeemable, apparently, from the prospective profits of the individual nationalized enterprises, can not be considered to provide prompt, adequate and effective compensation.

While the United States Government has consistently recognized the right of a sovereign power to expropriate property subject to its jurisdiction and belonging to American nationals, the United States has likewise refused to recognize the validity of such expropriations in cases where they are discriminatory by nature and effect and where provisions for equitable valuation and prompt, adequate and effective compensation are not provided by the expropriating Government.

In view of the nature of the Rumanian legislation and its application to American properties, the United States Government must therefore reserve all rights on behalf of its nationals with respect to the seizures of their properties by the Rumanian Government and intends to hold the Rumanian Government responsible for the return of the properties or prompt payment of adequate and effective compensation therefor.

Freedom of Movement Allowed Mrs. Kasenkina and Mr. Samarin

U.S. NOTE TO THE SOVIET EMBASSY DELIVERED ON SEPTEMBER 9¹

[Released to the press September 13]

The Secretary of State presents his compliments to His Excellency the Ambassador of the Union of Soviet Socialist Republics and has the honor to refer to his note no. 156 of August 24, 1948¹ regarding the case of Mrs. Kasenkina and Mr. Samarin and to acknowledge the receipt of photostatic copies of the two letters² by Mrs. Kasenkina which were requested in the Department's note dated August 19, 1948.²

¹ Not printed.

² BULLETIN of Aug. 29, 1948, p. 251.

The Department of State notes that the Soviet Government reaffirms the position taken in its earlier communications on this subject and rejects the position of the Department of State with respect to the abuse of his prerogatives by the Com General of the USSR in New York. The Department of State has nothing to add to its note on this subject dated August 19, and must categorically reject as without any basis in fact the wholly unsubstantiated accusations made against the Federal Bureau of Investigation and the welfare organization known as the Tolstoy Foundation.

Department of State Bulletin

he Department of State also notes that the Soviet Government again "insists that opportunity for free and unobstructed access to Kasenkina Samarin be granted to the representatives of the Soviet Union in the U.S.A." The Department's note of August 19, 1948 stated that they were completely free to see any Soviet official if they desired, but that this Government could not compel either of them to do so. The Soviet Government therefore have realized that compliance with their request would be incompatible with the principles of law on which the United States Government was founded and to which it adheres. The actions of individuals in the United States are not subject to restraint or compulsion except in accordance with duly enacted statutes and subject to constitutional safeguards. It is a matter exclusively for the determination of Mrs. Kasenkina and Mr. Samarin whether they will see the representatives of the Soviet Government.

Mrs. Kasenkina has stated to Soviet Vice Consul Purnyk in the presence of witnesses that she does not wish to see him or any other Soviet representative. Mrs. Kasenkina has been under no restrictions of any kind other than those normally required by medical practice for patients suffering from injuries such as she sustained. It is understood that she is rapidly regaining her health. In her recovery and departure from the hos-

pital, Mrs. Kasenkina will continue to be free to see whomsoever she wishes, and of course she will enjoy complete freedom of movement. Mr. Samarin has stated under oath to a subcommittee of the Congress, before which he appeared at his own request, that he determined voluntarily and on his own initiative to renounce his Soviet citizenship and to remain in the United States. He of course enjoys complete freedom of movement and can see whomsoever he wishes. In these circumstances, the United States Government must consider the matter closed.

The Department of State has taken note of the intention of the Soviet Government to close its Consulates General at New York and San Francisco, and its decision, in conformity with the principle of reciprocity, to consider the United States Consulate General at Vladivostok subject to immediate closing, and to withdraw the permission for the opening of a United States Consulate General at Leningrad. Accordingly, on August 27 the Department of State closed the United States Consulate General in Vladivostok and is completing the necessary arrangements for vacating the premises as promptly as possible. The Department will appreciate being advised of the official dates of the final closing of the Soviet Consulates General in the United States.

DEPARTMENT OF STATE

Washington, September 9, 1948

Science Falls Victim to Communism's Strait Jacket

BY GEORGE V. ALLEN¹

Assistant Secretary for Public Affairs

MEMBERS OF THE AMERICAN ASSOCIATION FOR THE ADVANCEMENT OF SCIENCE: The so-called "cold war" between the democratic and antidemocratic forces of the world is assuming increasingly alarming proportions as we assemble for our discussion tonight. Every right-minded citizen of the globe is distressed at this unhappy state of affairs, but know of no group which is so genuinely and fully moved by it as the men of science.

On Monday night, Dr. Harlow Shapley implied that some portion of the blame for the parlous state of world affairs might be due to the bungling politicians and diplomats. He has only to say the word "diplomat", with a slight curl of his lip to obtain a prompt and sympathetic reaction from his audience.

Or better or worse, I am a member of that privileged tribe. I do not pretend that our tribe has done very well at its job. The state of the world today is sufficiently bad to rob any diplomat of claim to even mediocre success.

Or do I resent Dr. Shapley's implications. Plain speaking, however, has inspired me to set a few thoughts to scientists in return:

I glory in the fact that scientists recognize

neither national nor racial boundaries in their field of activity. Throughout the globe they have cooperated in pushing back the barriers to knowledge and have built on each other's discoveries. The training and instinct of the scientist is to disregard the political views of his colleague abroad and to concern himself only with his fellow's achievements and knowledge.

One principle which science has established through generations of experimentation and discovery is that confirmed revelations of the test tube, the microscope, or the prism must be accepted as true, regardless of their impact on the accepted beliefs of politics, religion, or folklore. The pages of history are full of the martyrs of science who have suffered persecution because of their steadfast adherence to evidence as revealed through their experiments. Those who would deny the freedom of science to follow where evidence leads are the mortal enemies of your profession.

¹ Address made before the American Association for the Advancement of Science in Washington on Sept. 15, 1948, and released to the press on the same date.

You who are the scientists of today are the heirs of that respect for scientific truth which your predecessors established through suffering and often through torture. It is incumbent upon you, as a group, to defend that heritage and to combat with your united condemnation any limitation on that freedom whenever and wherever it occurs. When an effort was made a quarter century ago to prevent students in the hills of Tennessee from learning about evolution, you rose as one voice to condemn this limitation. Today the long-suffering scientists of Moscow are forbidden to reach their own conclusions on the teachings of Mendel or Lamarck. It would seem to me that all scientists should come to their aid with a rousing condemnation of those authorities in the Kremlin who have placed your Russian colleagues in a strait jacket.

Another principle which you and your predecessors have established, and which is a companion to the first, is that scientific knowledge, once discovered, should be disseminated as widely and freely as possible throughout the world.

As a layman, I can appreciate your anguish that scientists of the United States are at the present moment the holders of some of the most important, yet the most securely guarded, secrets in the annals of scientific history—secrets relating to atomic energy. I know how deeply it disturbs many of you that so little progress has been achieved toward making these secrets available as the common knowledge of mankind.

I shall not quibble on this point. In my field of operations in the Department of State, dealing with questions of educational exchange with foreign countries and with UNESCO, I come frequently in contact with this disturbed state of mind among many of our scientists, and I am all too aware of the propaganda capital which is made against the United States Government, not only abroad but also in the United States itself, because of the American monopoly of the atomic-energy process.

I must say with equal clearness, however, that I do not believe the United States has cause for either apology or shame with regard to its policy concerning the atomic discoveries. Far from it. The American Government holds in its grasp the most important advantage which any people in history has ever held, an advantage which could make us the military master of the world if we chose to use it for that purpose. We have freely offered to give up this advantage, to throw open our laboratories and installations to the most minute inspection of everyone, and to devote all our tremendous equipment and facilities to the benefit of mankind. The offer has been criticized in our own country as much too generous, and some are relieved that it was not accepted.

It is true that attached to our offer was a string—or perhaps thread would be the better term. We

asked for reciprocity of inspection. In this wadaday world we inhabit, which is not altogether the pure world of science, we wanted some assurance that our homes and our families would not be blasted off the earth by any unfriendly reaction which might take a notion to do so. I am sure it means certain that any nation on earth would have made as generous an offer on the atomic bomb as we did. I believe that one of the reasons we have as far as we did is our attachment to that principle of scientific freedom to which you adhere so firmly.

I glory in your criticism of any violation of academic freedom which occurs in the United States. I merely ask that you condemn with equal boldness its violation or refusal of acceptance anywhere. Some of your number are inclined to reverse the Scripture and to see a mote in your eye while overlooking the beam in the eye of another fellow.

So I return to Dr. Shapley the challenge. Scientists and diplomats compete to build a better world. But better still, let us combine our resources to bring about the true and lasting brotherhood of mankind.

Communist Strategy in Southeast Asia

[Released to the press September 16]

In response to questions on September 16 a Department of State spokesman said

The Department has watched closely the rapid increase of Communist activity which has taken place in southeast Asia since early this year and has naturally taken this development into consideration in determining its course of action. The results of these activities in Burma, Malaya, Indochina, and Indonesia have been reported by the press as they occurred from time to time and need not be reviewed. However, little attention has been directed toward one major strategem employed by the Communists in dependent areas of southeast Asia. To win support and allies in the drive for power, Communist leaders have consistently pretended to champion the cause of local nationalists and have attempted to identify Communism with nationalism in the minds of the people of the area. This scheme worked well, at least until the Cominform's denunciation of the Yugoslav Communist leaders as being, among other things, guilty of nationalism. There is some evidence that sincere nationalist leaders in southeast Asia, originally deceived by this device, have now awakened to the fact that, in Communist-controlled states outside the Soviet Union, the nationalism to which they aspire is regarded as a high crime and grounds for ruthless interference in the internal affairs of such states by international Communist organizations.

Department of State Bulletin

Displaced-Persons Resettlement Program

STEPS FOR ADMISSION OF ALIENS INTO U.S.

[Released to the press August 31]

article in the New York Times of August 8, by Michael L. Hoffman contained statements which obviously are based upon misapprehensions of law and of fact. Criticism leveled at consular officers for the delay in beginning the displaced-persons program is entirely unwarranted and unjust. In fact, the Executive of the Government is doing everything that can be done to get the program going as soon as possible. The following steps must be taken, however, before aliens may come into the United States under the Displaced Persons Act.

Appointment of a Displaced Persons Commission. The President sent the nominations of persons to be appointed members of the Commission to the last session of Congress but the Congress did not act on the nominations. The persons nominated have now been given recess appointments.

Organization of the Commission. The organization of the Commission has been delayed because one of the members was in Europe when appointed and has only recently arrived in the United States.

Issuance of Regulations. The act provides in part: "It shall be the duty of the Commission to formulate and issue regulations, necessary under the provisions of this Act, and in compliance thereof for the admission into the United States of displaced persons, including displaced orphans and eligible displaced persons." These regulations have not been issued. The Commission has just been organized and is beginning to function.

Selection of Screening Agency. The President is required by the act to designate an agency of the Government which will be responsible for screening displaced persons from the security point of view. He has not done this because the Commission has just been organized and is formulating recommendations.

Selection and Distribution. The Displaced Persons Commission must select those aliens who are eligible for displaced-person status under the act and who can be settled in the United States in accordance with the requirements of the act. The Commission obviously may not do this until after regulations have been issued.

Issuance of Visas. The issuance of visas can

not take place until the displaced persons have been cleared through the procedure of the DPC. Following the arrangements by the DPC for settlement in the United States, the selection and the screening of a displaced person, the applicant is required by law to execute a formal visa application before, and be examined by, an American consular officer who, under section 2 (f) of the Immigration Act of 1924, must withhold the issuance of a visa if he knows or has any reason to believe that the applicant is inadmissible under any excluding provision of the immigration laws. A displaced person is not exempted from the burden of establishing to the satisfaction of the consular officer that he is not inadmissible under the law. Although a security clearance by the C. I. C. [Counter Intelligence Corps] is given considerable weight, it does not relieve the responsibility of the consular officer who may feel it necessary to investigate further certain aspects of a given case. This is exceptional and does not, normally, duplicate the same investigation.

7. Reason for Terminating President's DP Program. Mr. Hoffman states, in his article, that "Operation of the Truman directive was suspended when the new law came into force, and the United States consulates are interpreting the law strictly". The act itself directed that the processing of displaced persons, under the President's directive of December 22, 1945, be discontinued after June 30, 1948, and provided for a severe penalty in the event of any violation thereof.

8. Issuance of Visas in Camps. The question of having consular officers travel from camp to camp and issue visas on an itinerant basis, rather than at regional consular offices, presents certain legal and administrative difficulties which are being given careful consideration.

9. Resumption of Normal Visa Services in Germany and Austria. Since the suspension of the issuance of visas to displaced persons June 30, 1948, pending the implementation of the Displaced Persons Act of 1948, no immigration visa has been issued to any nonpriority, nonpreference applicant in Germany or Austria. Meanwhile, American consular officers in Germany and Austria are preparing to resume within the next few weeks the normal prewar visa services in Germany and Austria as required by the Displaced Persons Act independently of the displaced-persons program.

DP COMMISSION STAFF DEPARTS FOR GERMANY

[Released to the press August 31]

The Department of State announced on August 31 that Ugo Carusi, chairman of the Displaced Persons Commission, would leave for Germany by air on September 6. His plans are to meet immediately with the military and consular officials and representatives of IRO and voluntary agencies who will participate in the displaced-persons resettlement program contemplated by the Displaced Persons Act of 1948.

Procedures will be established to effect thorough, speedy, and efficient administration of the act in those areas to which it applies (western zones and sectors of Germany and Austria and in Italy). Processing officers will be distributed throughout the area in such numbers and at such places as will best produce this result.

Present plans of the Commission call for the first movement of eligible displaced persons during the first week of October with regular increasing shipments to follow during the succeeding months. Shipping arrangements in accord with this plan have already been made by the IRO.

The Commission confidently anticipates the cooperation of all agencies, governmental and private, to the end that the intent of Congress expressed in the Displaced Persons Act will be carried out.

Mr. Carusi will be accompanied by Commission staff members and representatives of the Immigration and Naturalization Service, State Department, who will assist in developing the program.

REGISTRATION OF IMMIGRANTS TO THE U. S. FROM GERMAN AND AUSTRIAN ZONES

[Released to the press September 17]

Pursuant to section 12 of the Displaced Persons Act of 1948, all American consular offices in Germany and Austria will accept, effective September 17, 1948, applications for registration as intending immigrants to the United States from persons residing in the American, British, and French zones of Germany and Austria and in the American, British, and French sectors of Berlin and Vienna as provided in Title 22, *Code of Federal Regulations*, 1946 Supplement, 61.302.¹

The purpose of such registration is to establish priority of consideration of individual cases within the quotas established pursuant to the Immigration Act of 1924. This has no relation to the displaced-persons program, although persons in Germany and Austria, intending to apply for visas as displaced persons within the classification provided in the Displaced Persons Act of 1948 are advised to register now as intending immigrants in

order that they may have the benefit of the priority established thereby in the event they should not meet all of the qualifications requisite as to a displaced person under the law.

Cases of persons registered will be processed in the order in which their registration occurs as soon as practicable. It is expected, however, that the processing of cases of displaced persons will commence earlier than those in nonpriority categories. Both programs will be administered independently.

Persons in the United States, who are interested in sponsoring an eligible displaced person should communicate with the Displaced Persons Commission, Fourth Floor, Premier Building, Eighteenth Street, NW., Washington 25. All other visa cases of persons in Germany and Austria will be handled by the American consular office nearest the applicant's residence. Consular offices are located in the following cities:

Berlin	Hamburg
Bremen	Munich
Frankfort	Stuttgart
Salzburg, Austria	Vienna, Austria

Persons registered on the quota waiting list as intending immigrants to the United States will be informed, individually, by the American Consulate when it becomes possible to process their cases. Since the cases will be considered strictly in order of registration, correspondence with the Consulate, other than in connection with the registration itself, should be avoided for the present. It should be appreciated that an avalanche of correspondence would only add confusion to and retard the normal resumption of visa work in Germany and Austria.

¹ *Registration of Quota Visa Applicants* (22 CFR, 1946 Supp. 61.302):

(b) *Oversubscribed quotas.* The registration of an intending immigrant chargeable to an oversubscribed quota should be made only upon the basis of a registration form submitted by mail to the consular office. Such registration forms may be filed at an office which has been authorized to accept applications for immigration visas of aliens regardless of whether quota numbers are likely to be available for use in issuing visas to them.

(g) *Registration form to be endorsed with date of receipt.* The registration form received at the consular office should be dated by rubber stamp with the date of receipt, which will become the registration date.

Czechoslovakia Settles Lend-Lease Account

[Released to the press September 16]

The United States Embassy at Praha informed the Department of State on September 16 that it had signed an agreement with the Government of Czechoslovakia settling all lend-lease obligations of the Czechoslovak Government under the Czech-American lend-lease agreement of July 1945. Under the terms of the settlement, signed in Praha today, the Czechoslovak Government agrees to pay to the United States within 10 days the amount of \$172,061.00 in crowns (8,648,072 crowns). The Czechoslovak Government received from the United States or by re-transfer from the United Kingdom. This figure is based on the procurement cost of the items.

The text of the agreement has not yet been received from the Embassy.

Yugoslavia Pays for Nationalized American Property

[Released to the press September 13]

The Department of State announced on September 13 that it has deposited with the United States Treasury a check for \$17,000,000 received from the Government of Yugoslavia in accordance with the agreement of July 19, 1948, between the Governments of the United States and Yugoslavia providing for settlement of American property nationalized in Yugoslavia and other outstanding pecuniary claims between the two Governments.¹

The \$17,000,000 will be held pending action by the Congress or such agency as it may designate to distribute the money to eligible claimants.

Incident Involving Seating of Ethiopian Minister at Meeting of Scientists**EXCHANGE OF CORRESPONDENCE BETWEEN THE ETHIOPIAN LEGATION AND THE DEPARTMENT OF STATE**

[Released to the press September 17]

September 15, 1948

The Imperial Ethiopian Legation presented their protests to the Department of State and have endeavored to protest in the strongest manner at the affront and indignity caused to the Minister of His Excellency Ras Imru, the Minister of Ethiopia to the United States, on the evening of the fifteenth September, 1948, at Constitution

An incident occurred when His Excellency, in company with the "American Association for the Advancement of Science" to attend the ceremony of the opening session of its meeting, took his seat in the hall, assigned to him along with the other diplomatic Corps, and where an individual, unknown to the Minister approached and told His Excellency to leave his seat and find another place elsewhere in the hall, and the Minister left the hall together, in protest against such an insult. The Ethiopian Government considers the offense of its accredited representative, as grave and one which creates serious implications, specially so since the offense occurred in a public place and in the presence of the President of the United States.

The Imperial Ethiopian Legation therefore, demands that the United States Government will take appropriate measures to repair the damage done and punish the offender in the manner that the dignity and inviolability of an Envoy representing a Sovereign Government requires.

The Imperial Ethiopian Legation avails them-

selves of this opportunity to renew to the Department of State the assurance of their highest consideration.

RAS H. S. IMRU
Minister

The Department of State acknowledges the receipt of the note from the Imperial Ethiopian Legation, dated September 15, 1948, protesting the unfortunate incident involving the Honorable Ras Imru, Minister of Ethiopia, on September 13, 1948.

It is a matter of the greatest regret to the Government of the United States that the Minister of Ethiopia was subjected to the embarrassment indicated in the Legation's note under reference.

The Department of State has viewed the matter with serious concern, and has therefore investigated the circumstances regarding the case with a view toward taking any action which might appear appropriate.

The Department has noted that the meeting in which the incident occurred was held in a private auditorium and under the auspices of a private organization which has already tendered its full apologies to the Minister.

The organizations and individuals concerned have informed the Department that the incident resulted from the fact that there were insufficient boxes for all chiefs of mission, and the American

¹ BULLETIN of Aug. 1, 1948, p. 137.

THE RECORD OF THE WEEK

Association for the Advancement of Science, which was in charge of the event, was forced to assign orchestra seats to some of the chiefs of mission. Through some mistake the Minister was seated in a box, although he held a ticket for a seat on the floor of the house. Later, anticipating the arrival of the person to whom this box had been assigned, an usher requested the Minister to take the seat assigned to him in the orchestra. The Minister, apparently not aware that other members of the diplomatic corps were seated in the orchestra, declined to do so and left the hall on the grounds that he should have been assigned to a box seat. The Department fully shares the Minister's point of view in this regard, and if it had been consulted in the matter in advance, it would most certainly have recommended, in accordance with its established practice, that the Minister and all other chiefs of mission be assigned to boxes.

As stated above the Department regrets the embarrassment caused the Minister.

September 16, 1948

Evacuation of U.S. Nationals From Hyderabad

[Released to the press September 9]

Text of a communiqué issued to American journalist on September 9 by the American Embassy at New Delhi, India

In view of the latest developments re Hyderabad, the U.K. High Commissioner in India acting for this purpose, also in agreement with and on behalf of the United States Chargé d'Affaires, the Canadian High Commissioner and the Australian High Commissioner, proposes to put in train forthwith arrangements which have been agreed upon for the concentration, in an evacuation from Hyderabad to Madras, of the nationals of the countries concerned.

Mr. Fry, a member of the U.K. High Commission in India, has been in Hyderabad for some weeks for the sole and express purpose of looking after the welfare and protection of aforesaid nationals and coordinating arrangements for their concentration and evacuation in event of the need arising.

Mr. Fry has now received instructions to arrange for the concentration of these nationals at a prearranged rendezvous near Hyderabad City and evacuation by air will be carried out by commercial York Aircraft of BOAC from Hyderabad to Madras.

Arrangements have been made in Madras for reception of these nationals.

The Governments of India and Hyderabad have been informed of these decisions and of the detailed arrangements involved, and their help

has been sought in connection with carrying out the evacuation plan.

There are certain of these nationals living on the borders of the state who may not be able to reach the prearranged rendezvous. They have therefore been advised and are being advised to make their own way overland to adjoining Indian Union territory.

Nationals living in places too far distant to be accessible from Hyderabad City and the borders of the state, either to join the air evacuation or to make their own way into adjoining provinces of India, will in all probability decide to stay where they are.

[Released to the press September 9]

According to a report received on September 9 from the American Embassy at New Delhi, evacuation operations for removal of American citizens from Hyderabad have been completed. American citizens residing in Hyderabad were advised several days ago by the American Embassy to leave in view of possible disturbances within the state which might endanger lives and property. Arrangements for their transportation, including air and rail, were arranged with the cooperation of the Government of India, the office of the British High Commissioner in New Delhi, and the Hyderabad authorities. All Americans who chose to leave themselves of the facilities provided have been evacuated.

Approximately 40 Americans, principally engaged in missionary activities, resided in Hyderabad prior to evacuation. Information regarding the number of American evacuees is incomplete; however, the following citizens have arrived in Madras from Hyderabad, according to reports from the American Consulate General at Madras:

India mission at Bhongir

Mr. B. K. Tarter, Amarillo, Tex.
Mrs. Wanda Tarter, Amarillo, Tex.
Mr. and Mrs. George Steenstra, Cleveland, Ohio
Mrs. Sarah Anderson, Yakima, Wash.

American Mennonite Brethren mission at Shamshabad

J. N. C. Hiebert, Mountain Lake, Minn.
Mr. and Mrs. Charles Clement Ray, McKeesport, Pa. (businessman)

Correction in Protocol of Schedule X of General Agreement on Tariffs and Trade

The President on September 7 issued Proclamation 2809 supplementing Proclamation 2775 of June 11, 1948.¹ This Proclamation has the effect of correcting a typographical error appearing in the Protocol of Rectifications signed in Havana on the 24th of March relating to tariff item no. 11 of the schedule of tariff concessions (schedule of concessions) granted by the United States.

¹ 13 Fed. Reg. 5249.

THE CONGRESS

Review of the Work of the Eightieth Congress

THE BULLETIN is listing below major legislative acts touching upon the foreign relations of the United States during the Eightieth Congress. This list supplements the one printed in the BULLETIN of September 28, 1947, page 651. Public Laws 389, 393, and 395 were passed during the Second Session, the rest of the legislation in the list, during the First Session.

Title
An Act To promote world peace and the general welfare, national interest, and foreign policy of the United States by providing aid to certain foreign countries.
An Act Making supplemental appropriations for the fiscal year ending June 30, 1948, and for other purposes.
Joint Resolution To aid in the stabilization of commodity prices, to aid in further stabilizing the economy of the United States, and for other purposes.
An Act To amend the Philippine Rehabilitation Act of 1946, as amended.
An Act To promote the better understanding of the United States among the peoples of the world and to strengthen cooperative international relations.
Joint Resolution Providing for membership and participation by the United States in the South Pacific Commission and authorizing an appropriation therefor.
An Act To amend the Act of June 28, 1935, entitled "An Act to authorize participation by the United States in the Interparliamentary Union".
An Act To provide for the free importation of synthetic-rubber scrap.
Joint Resolution To continue until March 1, 1949, the authority of the Maritime Commission to sell, charter, and operate vessels, and for other purposes.
An Act To continue for a temporary period certain powers, authority, and discretion conferred on the President by the Second Decontrol Act of 1947.
Joint Resolution Providing for membership and participation by the United States in the Caribbean Commission and authorizing an appropriation therefor.
An Act To extend the period of validity of the Act to facilitate the admission into the United States of the alien fiancées or fiancés of members of the armed forces of the United States.

Law	Title
453	Joint Resolution To authorize vessels of Canadian registry to transport iron ore between United States ports on the Great Lakes during 1948.
469	An Act To strengthen national security and the common defense by providing for the maintenance of an adequate domestic rubber-producing industry, and for other purposes.
470	Joint Resolution Making appropriations for foreign aid [Austria, France, and Italy], welfare of Indians, and refunding internal-revenue collections.
472	An Act To promote world peace and the general welfare, national interest, and foreign policy of the United States through economic, financial, and other measures necessary to the maintenance of conditions abroad in which free institutions may survive and consistent with the maintenance of the strength and stability of the United States.
474	An Act To extend the authority of the Administrator of Veterans' Affairs to establish and continue offices in the territory of the Republic of the Philippines.
475	An Act To amend the Tariff Act of 1930 with reference to platinum foxes, and platinum fox furs, and for other purposes.
490	An Act To amend paragraph 1629 of the Tariff Act of 1930 so as to provide for the free importation of exposed X-ray film.
496	An Act To enable the Secretary of Agriculture to conduct research on foot-and-mouth disease and other diseases of animals and to amend the Act of May 29, 1884 (23 Stat. 31), as amended, by adding another section.
501	An Act To amend title 17 of the United States Code entitled "Copyrights".
519	An Act Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1948, and for other purposes.
538	An Act To amend the Immigration Act of 1924, as amended.
552	An Act To amend the immigration laws to deny admission to the United States of aliens who may be coming here for the purpose of engaging in activities which will endanger the public safety of the United States.
564	An Act To amend the Acts authorizing the courses of instruction at the United States Naval Academy and the United States Military Academy to be given to a limited number of persons from the American Republics so as to permit such courses of instruction to be given to Canadians.
567	An Act To amend the Nationality Act of 1940.

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Law	Title
597	An Act Making appropriations for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1949, and for other purposes.
600	An Act Relating to the issuance of reentry permits to certain aliens.
606	An Act To continue for a temporary period certain powers, authority, and discretion conferred on the President by the Second Decontrol Act of 1947, and for other purposes.
612	An Act To amend paragraph 813 of the Tariff Act of 1930.
613	An Act To continue until the close of June 30, 1949, the present suspension of import duties on scrap iron, scrap steel, and nonferrous metal scrap.
614	Joint Resolution To permit articles imported from foreign countries for the purpose of exhibition at the International Industrial Exposition, Incorporated, Atlantic City, New Jersey, to be admitted without payment of tariff, and for other purposes.
626	An Act To authorize the Secretary of the Army and the Secretary of the Air Force to proceed with construction at military installations, and for other purposes.
630	An Act To amend paragraph 1772 of the Tariff Act of 1930, as amended.
643	Joint Resolution Providing for membership and participation by the United States in the World Health Organization and authorizing an appropriation therefor.
647	An Act To encourage the development of an international air-transportation system adapted to the needs of the foreign commerce of the United States, of the postal service, and of the national defense, and for other purposes.
653	An Act To authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes.
718	An Act To permit the landing of halibut by Canadian fishing vessels to Alaskan ports, and for other purposes.
725	An Act To provide for the temporary free importation of lead.
750	An Act To amend the Tariff Act of 1930 to provide for the free importation of limestone to be used in the manufacture of fertilizer.
752	An Act To authorize the course of instruction at the United States Naval Academy to be given to not exceeding four persons at a time from the Republic of the Philippines.
767	An Act To continue the authorization for the appointment of two additional Assistant Secretaries of State.
769	Joint Resolution Permitting the free entry of certain articles imported to promote international good will, and for other purposes.
771	An Act To codify and enact into law Title 3 of the United States Code, entitled "The President".

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Law	Title
774	An Act To authorize for a limited period of the admission into the United States of certain European displaced persons for permanent residence, and for other purposes.
778	Joint Resolution To increase the sum authorized to be appropriated for the presentation to the President of a statue of Commodore John Barry.
783	An Act To amend section 332 (a) of the Nationality Act of 1940.
785	An Act Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1948, and for other purposes.
786	An Act To authorize the Coast Guard to establish, maintain, and operate aids to navigation.
787	An Act To amend section 5 of the Act entitled "An Act To amend the laws relating to immigration, and for other purposes."
788	An Act To provide for the acceptance on behalf of the United States of a statue of General Jose Gervasio Artigas, and for other purposes.
792	An Act To extend the authority of the President under section 350 of the Tariff Act of 1930, as amended, and for other purposes.
793	An Act Making appropriations for foreign operations, and for other purposes.
794	Joint Resolution Providing for participation by the Government of the United States in the Pan American Railway Congress, and authorizing an appropriation therefor.
798	An Act To authorize the Secretary of State to perform certain consular-type functions with respect to the United States and its Territories and possessions.
801	An Act to amend the Act of July 30, 1947, relating to the admission of Canadian vessels to transport certain merchandise between Hyder, Alaska, and points in the continental United States.
817	An Act Relating to the arming of American merchant vessels.
843	Joint Resolution Providing for acceptance by the United States of America of the Constitution of the International Labor Organization Instrument of Amendment, and further authorizing an appropriation for payment of the United States share of the expenses of members and for expenses of participation by the United States.
860	An Act Making appropriations for Government-owned corporations and independent executive agencies for the fiscal year ending June 30, 1949, and for other purposes.
863	An Act To amend subsection (c) of section 1 of the Immigration Act of 1917, as amended, and for other purposes.
865	An Act To assist by grants-in-aid the Republic of the Philippines in providing medical care and treatment for certain veterans.
874	An Act To amend the Trading With the Enemy Act.

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Title

An Act To extend the time for commencing the construction of a toll bridge across the Rio Grande at or near Rio Grande City, Texas.

An Act To amend the Philippine Rehabilitation Act of 1946 in connection with the training of Filipinos as provided for in title III.

An Act To authorize the Attorney General to adjudicate certain claims resulting from evacuation of certain persons of Japanese ancestry under military orders.

An Act To provide assistance in the recruitment and distribution of farm labor for the increased production, harvesting, and preparation for market of agricultural commodities to meet domestic needs and foreign commitment.

An Act To amend the Trading with the Enemy Act, as amended; to create a commission to make an inquiry and report with respect to war claims; and to provide for relief for internees in certain cases.

An Act To provide for extension of the terms of office of the present members on the Atomic Energy Commission.

Joint Resolution To authorize the President, following appropriation of the necessary funds by the Congress, to bring into effect on the part of the United States the loan agreement of the United States of America and the United Nations signed at Lake Success, New York, March 23, 1948.

following list is of legislation pending at close of the Second Session is that which has sponsored by the Department of State or which the Department has a special interest:

Title

Inter-American Military Cooperation Bill

Immigration Control Bill

United Nations Omnibus Act

Detail of Naval and Military Missions to Foreign Governments

Authorization for the Admission of Aliens to U. S. Military Schools

Protection of the National Security

Assistance to Destitute Americans Abroad

Compensation for War Damage Done to Property in Neutral Countries

Use of Official United Nations Seal, Emblem and Name

Refund of Taxes Deducted from Wages of Mexican Railway Workers Employed in the United States

Transfer of Portion of Fort Brown, Brownsville, Texas to U.S. Section, International Boundary and Water Commission, by the War Assets Administration

Great Lakes-St. Lawrence Seaway and Power Project

Organic Legislation for Territory of the Pacific Islands

November 26, 1948

Law

14. Settlement of Conflicting Claims to German Assets
15. U.S. Participation in Inter-American Commission of Women
16. Inter-American Institute for the Protection of Childhood
17. Foreign Service Relief Bill

The following treaties were approved by the Senate during the Eightieth Congress, Second Session:

Senate Exec. Print
80th Cong., 2d sess.

Title

- | | |
|---------------------------|---|
| A | Protocol extending the interamerican coffee agreement, signed at Washington Sept. 11-Nov. 1, 1947. |
| B | International telecommunication convention with accompanying instruments, signed at Atlantic City Oct. 2, 1947. |
| C | Protocol prolonging the international agreement regarding the regulation of production and marketing of sugar, dated at London Aug. 29, 1947. |
| E | Treaty of friendship, commerce, and navigation with the Italian Republic signed at Rome Feb. 2, 1948. |
| G | Supplementary protocol with France relating to taxes on estates and inheritances, signed at Washington May 17, 1948. |
| H (Reservation) | Convention with Denmark relating to double taxation, signed at Washington May 6, 1948. |
| I (Reservation) | Convention with the Kingdom of the Netherlands relating to avoidance of double taxation, signed at Washington Apr. 29, 1948. |
|
80th Cong., 1st sess. | |
| A | Convention for the avoidance of double taxation with France, signed at Paris Oct. 18, 1946. |
| J | Treaty of friendship, commerce, and navigation with the Republic of China, signed at Nanking Nov. 4, 1946. |
| Q | Consular convention with the Republic of the Philippines, signed at Manila Mar. 14, 1947. |
| EE | International Labor Organization final articles revision convention, 1946 (no. 80), adopted at Montreal, Oct. 9, 1946. |
| II | Inter-American treaty of reciprocal assistance, signed at Rio de Janeiro Sept. 2, 1947. |

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79th Cong., 1st sess.

G Claims convention with Norway (on behalf of Christoffer Hannevig), signed at Washington Mar. 28, 1940.

The following treaties are still under consideration by the Senate:

1. Canada—Great Lakes Fisheries Convention, signed at Washington Apr. 29, 1942 (Executive C, 79th Cong., 2d sess.).
2. Canada—Exchange of Notes at Washington May 3, 1944, Providing for an Additional Diversion of the Water of the Niagara River Above the Falls (Executive E, 78th Cong., 2d sess.).
3. Canada—Protocol, signed at Ottawa Oct. 3, 1945, To Be Annexed to, and To Form a Part of, the Extradition Treaty of Apr. 29, 1942 (Executive I, 79th Cong., 1st sess.).
4. Costa Rica—Consular Convention, signed at San José Jan. 12, 1948 (Executive D, 80th Cong., 2d sess.).
5. New Zealand—Convention Relating to Avoidance of Double Taxation, signed at Washington Mar. 16, 1948 (Executive J, 80th Cong., 2d sess.).
6. Philippines—Treaty of Conciliation, signed at Manila Nov. 16, 1946 (Executive C, 80th Cong., 1st sess.).
7. United Kingdom—Agreement on Petroleum, signed at London Sept. 24, 1945 (Executive H, 79th Cong., 1st sess.).
8. Union of South Africa—Convention for the Avoidance of Double Taxation (Estates), signed at Capetown Apr. 10, 1947 (Executive FF, 80th Cong., 1st sess.).
9. Union of South Africa—Convention for the Avoidance of Double Taxation (Income), signed at Pretoria Dec. 13, 1946 (Executive O, 80th Cong., 1st sess.).
10. Union of South Africa—Extradition Treaty, signed at Washington Dec. 18, 1947 (Executive K, 80th Cong., 2d sess.).
11. Inter-American Convention on Rights of the Author in Literary, Scientific and Artistic Works, signed at Washington June 22, 1948 (Executive HH, 80th Cong., 1st sess.).
12. Convention on the Intergovernmental Maritime Consultative Organization, signed at Geneva Mar. 6, 1948 (Executive L, 80th Cong., 2d sess.).
13. Protocol Relating to an Amendment to the Convention on International Civil Aviation, dated at Montreal May 27, 1947 (Executive GG, 80th Cong., 1st sess.).
14. Nine Conventions Formulated at the Twenty-eighth (Maritime) Session of the International Labor Conference at Seattle, Wash., June 6-29, 1946 (Executive R to Z, inclusive, 80th Cong., 1st sess.).
15. The International Wheat Agreement, signed at Washington Mar. 6-Apr. 1, 1948 (Executive F, 80th Cong., 2d sess.).

Readers who are interested in obtaining an analysis of all legislation, passed and pending, may secure the *Congressional Record* for July 20, 1948, and August 17, 1948, from the Superintendent of Documents, Washington 25, D.C., for 15 cents a copy.

Foreign Relations of the United States, Volumes III and IV

[Released to the press Sept.]

The Department of State released September 1, 1948, *Foreign Relations of the United States*, Volumes III and IV. Both of these volumes given entirely to documentation on international affairs in the Far East. Volume III gives the diplomatic record of the Far Eastern crisis from January 1 to May 5, 1932. Volume IV continues the story from May 6 to December 31, 1932, also contains separate sections on China and Japan. The earlier phases of the Far Eastern crisis which began with the Japanese attack on Manchuria September 18, 1931, are recorded in *Foreign Relations*, 1931, Volume III, previously published. Additional documentation for 1932 in the Far East is contained in *Foreign Relations of the United States*, 1932, Volume I.

The volumes now released will contribute to the understanding of the origins of World War II. For here are recorded efforts to check Japanese aggression in its early stages. The aggressive designs of Japan became more obvious in 1932 with the extension of military activity in Manchuria and the attack on Shanghai. Behind the scenes discussions show efforts by the then Secretary of State, Henry L. Stimson, to secure international backing for the principles set forth in his notes of January 7, 1932, setting forth the American nonrecognition policy and in his letter of February 23, 1932, to Senator William E. Borah upholding the continued validity of the treaty supporting the territorial and administrative integrity of China. Of special interest are the memoranda of trans-Atlantic telephone conversations which Secretary Stimson held with British Prime Minister, Ramsay MacDonald, the British Foreign Secretary, Sir John Simon. It will be noted that while a strong united diplomatic front was urged, the record shows no proposal in 1932 for the invocation of economic or military sanctions against Japan. Later in the year when the Lytton Report was before the League of Nations, Secretary Stimson again insisted on the importance of a firm stand on behalf of principle.

Aside from documents on the conflict in China, perhaps the most interesting papers in Volume III are the reports from the Embassy in Tokyo on the collapse of parliamentary party government in Japan and the use of anti-American propaganda to promote a war psychology in that country.

Volume II of the *Foreign Relations* series, 1932 dealing with Europe, the Near East, and Africa, was released March 22, 1948. Volume

ing subjects of a general multilateral na-
d Volume V, the American Republics, are
s and will be ready for release within a
eks.

gn Relations, 1932, Volumes III and IV,
mpiled by John Gilbert Reid of the Divi-
Historical Policy Research, under the
n of E. R. Perkins, Editor of *Foreign*

s of these volumes may be purchased from
Superintendent of Documents, Government
g Office, Washington 25, D. C., for \$2.75

PUBLICATIONS

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se of free publications, which may be obtained
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onal Institute of Agriculture; Transfer of Func-
l Assets to the Food and Agriculture Organ-
of the United Nations. Treaties and Other
onal Acts Series 1719. Pub. 3106. 14 pp. 5¢.

col Between the United States and Other Gov-
ernments—Dated at Rome Mar. 30, 1946; ratification
ed by the Senate of the United States Aug. 2,
; ratified by the President of the United States
28, 1946; ratification of the United States de-
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e United Nations Feb. 10, 1947; proclaimed by
resident of the United States Feb. 24, 1948; en-
into force Jan. 28, 1948.

roadcasting; Allocation of FM Channels. Trea-
Other International Acts Series 1726. Pub. 3122.
0¢.

ement Between the United States and Canada—
tive by exchange of notes signed at Washington
8 and Oct. 15, 1947; entered into force Oct. 15,

; Principles Having Reference to Continuance of
ated Control. Treaties and Other International
es 1722. Pub. 3123. 7 pp. 5¢.

ement Between the United States and Other Gov-
ernments—Signed at London Aug. 5, 1944; entered
force May 24, 1945.

Consular Offices in the United States, April 1,
b. 3127. 51 pp. 20¢.

al list of foreign consular offices and repre-
atives in the United States, its territories and
ar possessions, and the Canal Zone.

PUBLICATIONS

Air Transport Services. Treaties and Other International
Acts Series 1727. Pub. 3134. 10 pp. 5¢.

Agreement Between the United States and Egypt—
Signed at Cairo June 15, 1946; operative from June
15, 1946; entered into force definitively Aug. 8, 1947.

Passport Visa Fees. Treaties and Other International
Acts Series 1728. Pub. 3135. 4 pp. 5¢.

Agreement Between the United States and the Neth-
erlands—Effectuated by exchange of notes dated at the
Hague Jan. 21, Feb. 11, and Mar. 5 and 13, 1946; en-
tered into force Mar. 13, 1946, effective Apr. 15, 1946.

Civil Aviation Mission to Colombia. Treaties and Other
International Series 1738. Pub. 3164. 5 pp. 5¢.

Agreement Between the United States and Colombia—
Effectuated by exchange of notes signed at Bogotá Oct.
23, Dec. 3 and 22, 1947; entered into force Dec. 22,
1947.

Havana Charter for an International Trade Organization.
March 24, 1948. Commercial Policy Series 114. Pub.
3206. iii, 155 pp. 35¢.

A guide to the study of the Ito Charter including in-
troduction, outline, and summary of Charter provi-
sions; final act of the United Nations Conference on
Trade and Employment; Havana Charter for an In-
ternational Trade Organization, including annexes;
and resolutions adopted by the Conference.

The Department of State. Department and Foreign Serv-
ice Series 3. Pub. 3223. 8 pp. Free.

Pamphlet giving a brief history, the present functions,
and principal officers of the Department of State.

Exchange of Official Publications. Treaties and Other
International Series 1758. Pub. 3226. 3 pp. 5¢.

Agreement Between the United States and Norway—
Effectuated by exchange of notes signed at Oslo June 20,
1947, and Mar. 15, 1948; entered into force Mar. 15,
1948.

Military Aviation Mission to Chile. Treaties and Other
International Acts Series 1760. Pub. 3228. 3 pp. 5¢.

Agreement Between the United States and Chile Re-
newing and Modifying Agreement of April 23, 1940,
as renewed and modified—Effectuated by exchange of
notes signed at Washington Apr. 26 and May 15, 1946;
entered into force May 15, 1946, effective Apr. 23,
1946.

**Significance of the Institute of Inter-American Affairs in
the Conduct of U. S. Foreign Policy.** Inter-American
Series 36. Pub. 3239. 19 pp. 15¢.

Description of programs in cooperative agriculture,
health and sanitation, and education.

National Commission News, September 1948. Pub. 3271.
10 pp. 10¢ a copy; \$1 a year domestic, \$1.35 a year
foreign.

Prepared monthly for the United Nations Educa-
tional, Scientific and Cultural Organization.

Atomic Impasse, 1948. International Organization and
Conference Series III, 14. Pub. 3272. 48 pp. 15¢.

A collection of unofficial speeches by Frederick Os-
born, Deputy U.S. Representative to the U.N. Atomic
Energy Commission.

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October 3, 1948

The Department of State BULLETIN is a weekly publication compiled and edited in the Division of Publications, Office of Public Affairs, provides the public and interested agencies with information on the Government with information on developments in the field of foreign relations and on the work of the Department of State and the Foreign Service. The BULLETIN includes press releases on foreign policy issued by the White House and the Department, and statements and addresses made by the President and by the Secretary of State and other officials of the Department, as well as special articles on various phases of international affairs and the functions of the Department. Information is included concerning treaties and international agreements to which the United States is or may become a party and treaties of general international interest.

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Berlin Crisis

COMMUNIQUE BY U.S., U.K., AND FRANCE

[Released to the press September 26]

*of the joint communiqué issued by the three
in Ministers in Paris on September 26*

Schuman, Mr. Bevin and Mr. Marshall met
y after noon at the Quai d'Orsay to consider
viet note of September 25, 1948, relating to
uation in Berlin, caused by the imposition
ontinuance of the Soviet blockade of rail,
and water communications between Berlin
e Western Zones of occupation in Germany.
view of the fact that the Soviet Government
ation of the understanding between the Four
rs has chosen to make public unilaterally its
n of these negotiations, the three Ministers,
rized the following statement:

e Governments of France, the United States
e United Kingdom are in agreement that
viet note of September 25 is unsatisfactory.
viet Government fails to provide the assur-

ance requested in the notes from the three govern-
ments of September 22, 1948, that the illegal block-
ade measures be removed. In addition it demands
that commercial and passenger traffic between the
Western Zones and Berlin, by air as well as by
rail, water and road be controlled by the Soviet
Command in Germany. This demand of the
Soviet Government is restated with emphasis in
the official communiqué issued in Moscow. More-
over, in regard to currency, the Soviet note is
evasive and does not answer the clear position
stated by the three governments.

"Accordingly, the three governments are trans-
mitting a note to the Soviet Government fully
setting out their position and informing it that in
view of the insistence of the Soviet Government
upon maintaining the blockade and upon the insti-
tution of restrictions on air communications they
are compelled in compliance with their obligations
under the Charter of the United Nations, to refer
the matter to the Security Council."

U.S. NOTE DELIVERED TO THE SOVIET GOVERNMENT

[Released to the press September 27]

Acting Secretary of State presents his com-
ments to His Excellency, the Ambassador of
ion of Soviet Socialist Republics,¹ and has
onor to transmit the following communica-

The Governments of the United States,
e and the United Kingdom, conscious of
bligations under the Charter of the United
is to settle disputes by peaceful means, took
initiative on July 30, 1948 in approaching the
Government for informal discussions in
w in order to explore every possibility of
ing a dangerous situation which had arisen
son of measures taken by the Soviet Gov-
nt directly challenging the rights of the
occupying powers in Berlin. These meas-
sistently pursued, amounted to a blockade
d and water transport and communication
en the Western zones of Germany and Berlin
not only endangered the maintenance of the
of occupation of the United States, France
he United Kingdom in that city but also

jeopardized the discharge by those Governments
of their duties as occupying powers through the
threat of starvation, disease and economic ruin
for the population of Berlin.

2. The Governments of the United States, France
and the United Kingdom have explicitly main-
tained the position that they could accept no ar-
rangement which would deny or impair the rights
in Berlin acquired by them through the defeat and
unconditional surrender of Germany and by Four-
Power agreements. They were, however, willing
to work out in good faith any practical arrange-
ments, consistent with their rights and duties, for
restoring to normal the situation in Berlin, in-
cluding the problems presented by the existence of
two currencies in that city.

3. After long and patient discussion, agree-
ment was arrived at in Moscow on a directive to
the four Military Governors under which the re-
strictive measures placed by the Soviet Military
Government upon transport and communications

¹ Alexander S. Panyushkin.

between the Western zones and Berlin would be lifted simultaneously with the introduction of the German mark of the Soviet zone as the sole currency for Berlin under Four-Power control of its issue and continued use in Berlin.

4. In connection with the lifting of restrictions and the maintenance of freedom of communication and the transport of persons and goods between Berlin and the Western zones, the agreed directive provided that restrictions recently imposed should be lifted. Generalissimo Stalin during the discussions personally confirmed that this meant the removal also of any restrictions imposed prior to June 18, 1948.

In connection with the currency situation in Berlin, the Soviet authorities insisted that the German mark of the Soviet zone be accepted as the sole currency for Berlin. The three Western occupying powers declared that they were ready to withdraw from circulation in Berlin the Western mark "B" issued in that city and to accept the German mark of the Soviet zone subject to Four-Power control over its issuance, circulation and continued use in Berlin (i.e. in Berlin only and not in the Soviet zone). After long discussions Generalissimo Stalin, on August 23, 1948, personally agreed to this Four-Power control and himself proposed the establishment of a Four-Power Financial Commission which would control the practical implementation of the financial arrangements involved in the introduction and continued circulation of a single currency in Berlin and which, Generalissimo Stalin specifically stated, would have the power to control the German Bank of Emission of the Soviet zone insofar as its operations with respect to Berlin were concerned.

5. It was with these understandings, personally confirmed by Generalissimo Stalin, that the agreed directive was sent to the four Military Governors in Berlin to work out the technical arrangements necessary to put it into effect.

6. Despite these clear understandings, the Soviet Military Governor soon made it plain in the discussions held by the four Military Governors that he was not prepared to abide by the agreed directive.

Although the directive called for the unqualified lifting of the restrictions on transport and communications between the Western zones and Berlin, the Soviet Military Governor failed to comply. What is more he demanded that restrictions should be imposed on air traffic. He endeavored to support his demand by a false interpretation of a decision of the Control Council of November 30, 1945. Actually during the discussions leading up to the decision of the Control Council of November, 1945, to establish air corridors the Soviet military authorities in Berlin had suggested that the traffic in the corridors should be limited to the needs of the military forces. Neither the Control Council,

however, nor any other Four-Power body accepted this proposal and the traffic in the corridors since been subject only to those safety regulations which were agreed on a Four-Power basis. Other than these agreed safety regulations, no restrictions whatsoever have been or are in existence on the use by aircraft of the occupying powers of air communications in the corridors between Berlin and the Western zones of Germany.

In regard to Four-Power control of the German mark of the Soviet zone in Berlin, the Soviet Military Governor refused to admit, despite an agreement in Moscow, that the Financial Commission should exercise control over the operation with respect to Berlin of the German Bank of Emission of the Soviet zone.

Furthermore, with respect to the question of control of the trade of Berlin, the position of the Soviet Military Governor amounted to a claim of exclusive Soviet authority over the trade of Berlin with the Western zones of occupation and with foreign countries. This claim was a contradiction of the clear meaning of the agreed directive of the Four Military Governors.

7. Even while discussions were in progress, the Soviet authorities in Berlin tolerated attempts by the part of minority groups sympathetic to the political aims forcibly to overthrow the legal government of the city of Berlin, constituted by democratic elections held under Four-Power supervision. On August 30 the representatives of the three Western occupying powers in Moscow drew Mr. Molotov's attention to the disturbed situation in Berlin. They suggested that instructions be sent to the four Military Governors that they should do all in their power to preserve a favorable atmosphere in Berlin, but Mr. Molotov claimed that such instructions to the Soviet Military Governor were unnecessary. Nevertheless after that date these attempts to overthrow the government increased in violence.

8. On September 14, 1948 the representative of the Governments of the United States, France and the United Kingdom, acting on specific instructions, called the attention of the Soviet Government to the Soviet Military Governor's disregard of the agreements reached during the Moscow discussions and requested that he be instructed to give effect to them.

9. The Soviet Government's reply of September 18, however, upheld the Soviet Military Governor's position. The Soviet Government further affirmed its intention to disregard its commitment to lift the restrictions imposed on transport and communications by seeking to impose restrictions which had not before been in effect.

With respect to trade, the Soviet requirement that the licensing of trade with Berlin be placed in the hands of the Soviet military authorities made plain the Soviet Government's intention to obtain exclusive control over the trade of Berlin.

s regards the powers of the Four-Power Financial Commission, the Soviet reply asserted that Western occupying powers desired to establish control over all operations of the German mark of Emission. In fact the United States, the United Kingdom and French Military Governors sought only to secure the Soviet Military Governor's acceptance of the agreed principle that the Four-Power Financial Commission should control operations of the Bank with respect to the financial arrangements relating to the currency of the city of Berlin and to the continued provision and use of the German mark of the Soviet zone in the city of Berlin, (i.e. in Berlin only and not in the Western zone). In the light of Mr. Molotov's statements during the discussion of the Soviet reply, it became clear that no assurance was given that the Soviet Military Governor would be prepared to proceed on the previously agreed basis. Thus in this matter, as in others, the intention of the Soviet Government was manifestly to impose conditions nullifying the authority of the Western occupying powers and to acquire complete control of the city of Berlin.

For the Governments of the United States, the United Kingdom and the United States, and the United Kingdom to continue discussions when fundamental agreements previously reached had been disregarded by the Soviet Government would have been futile. It would have been equally fruitless to continue such discussions in the face of the unmistakable intention of the Soviet Government to undermine, and indeed to destroy, the rights of the three Governments as occupying powers in Berlin as a price for lifting the blockade, illegally imposed in the first instance and still unlawfully maintained. The Three Governments therefore despatched identical notes on September 22nd to the Soviet Government. In these notes after restating their position on the principal points at issue they asked the Soviet Government whether it was prepared to remove the blockade measures which it had imposed and to agree to establish conditions which would permit the resumption of discussions.

The reply of the Soviet Government in its note to the three Governments of September 25, was unsatisfactory.

Regarding the introduction and continued circulation and use in Berlin of the German mark of the Soviet zone, the Soviet Government misrepresented the position of the three Western occupying powers. The latter have made it clear from the start that they do not desire to exercise any control over the financial arrangements in the Soviet zone of occupation, but are insisting on those conditions only which would provide adequate Four-Power control over the financial arrangements for the introduction and continued circulation and use of the German mark of the Soviet zone as the sole currency in Berlin.

Regarding control of the trade of Berlin the

Soviet Government contrary to its previous attitude now states its willingness to agree to the establishment of Four-Power control over the issuance of licenses for the import and export of goods provided that agreement is reached on all other questions. It is clear, after more than six weeks of discussions, from the Soviet Government's persistent refusal to remove the blockade measures and its continued insistence on other conditions which would enable it to destroy the authority and rights of the United States, France and the United Kingdom as occupying powers in Berlin that this conditional concession is illusory.

As regards air traffic between Berlin and the Western zones of occupation, the Soviet Government, while neither affirming nor withdrawing the demand for the particular restrictions put forward by the Soviet Military Governor during the discussions in Berlin and confirmed in its reply of September 18th, introduces another requirement to the effect that transport by air of commercial freight and passengers must be placed under the control of the Soviet command.

The Soviet Government's note of September 25 therefore not only ignores the request of the three Governments that the blockade measures should be removed in order that conditions may be established which would permit the continuation of discussions; it also seeks to impose restrictions on transport and communications between Berlin and the Western zones which would place the maintenance of the forces of occupation of the three Western occupying powers and the whole life of the Berlin population within the arbitrary power of the Soviet command, thus enabling the Soviet military authorities to reimpose the blockade at any moment in the future if they so desired.

12. Accordingly, it is apparent that the Soviet Government had no intention of carrying out the undertakings to which it had subscribed during the Moscow discussions in August. In the face of the expressed readiness of the Governments of the United States, France and the United Kingdom to negotiate with the Soviet Government all outstanding questions regarding Berlin and Germany as a whole in an atmosphere free from duress, the Soviet Government has, in fact, persisted in using duress. It has resorted to acts of force rather than to the processes of peaceful settlement. It has imposed and maintained illegal restrictions amounting to a blockade of Berlin. It has failed to work out in good faith Four-Power arrangements for the control of the currency of that city. Even while the Western occupying powers were seeking agreement on measures to implement the understandings reached in Moscow the Soviet military authorities condoned and encouraged attempts to overthrow the legally constituted municipal government of Berlin. These actions are plainly attempts to nullify unilaterally the rights of the Western occupying powers in Berlin, which are

co-equal with those of the Soviet Union and like them are derived from the defeat and unconditional surrender of Germany and from Four-Power agreements to which the Soviet Government is a party. Moreover, the use of coercive pressure against the Western occupying powers is a clear violation of the principles of the Charter of the United Nations.

13. The issue between the Soviet Government and the Western occupying powers is therefore not that of technical difficulties in communications nor that of reaching agreement upon the conditions for the regulation of the currency for Berlin. The issue is that the Soviet Government has clearly shown by its actions that it is attempting by illegal and coercive measures in disregard of its obligations to secure political objectives to which it is not entitled and which it could not achieve by peaceful means. It has resorted to blockade measures; it has threatened the Berlin population with starvation, disease and economic ruin; it has tolerated disorders and attempted to overthrow the duly elected municipal government of Berlin. The attitude and conduct of the Soviet Government reveal sharply its purpose to continue its illegal and coercive blockade and its unlawful ac-

tions designed to reduce the status of the United States, France and the United Kingdom as occupying powers in Berlin to one of complete subordination to Soviet rule, and thus to obtain absolute authority over the economic, political and social life of the people of Berlin, and to incorporate the city in the Soviet zone.

14. The Soviet Government has thereby taken upon itself sole responsibility for creating a situation, in which further recourse to the means of settlement prescribed in Article 33 of the Charter of the United Nations is not, in existing circumstances, possible, and which constitutes a threat to international peace and security. In order that international peace and security may not be further endangered the Governments of the United States, France and the United Kingdom, therefore, while reserving to themselves full rights to take such measures as may be necessary to maintain in these circumstances their position in Berlin find themselves obliged to refer the action of the Soviet Government to the Security Council of the United Nations.

DEPARTMENT OF STATE, WASHINGTON
September 26, 1948.

SOVIET NOTE DELIVERED TO THE U.S. GOVERNMENT

[Released to the press September 27]

On September 25 the Soviet Ambassador in Washington delivered to the Acting Secretary of State the following reply of the Soviet Government to the third-person note of September 22, 1948

[Translation]

1. The Government of the Union of Soviet Socialist Republics has acquainted itself with the note of the Government of the USA of September 22, 1948 concerning the negotiations of the four powers which have taken place in Moscow and Berlin on the question of the introduction of the German mark of the Soviet zone as the sole currency in Berlin and concerning the removal of the restrictions on communications, transport and trade between Berlin and the western zones of Germany.

In connection with this the Soviet Government considers it necessary to declare that the position taken by the Government of the USA not only does not facilitate but on the contrary complicates the reaching of agreement concerning the settlement of the situation which has arisen in Berlin as a result of carrying out of a separate currency reform and the introduction of a separate currency in the western zones of Germany and in the western sectors of Berlin, which constituted an extreme and most far reaching measure in execution of the

policy of partitioning Germany being carried out by the Governments of the USA, Great Britain and France.

2. In its note the Government of the USA refers to three disputed questions which were mentioned by the Governments of the USA, Great Britain and France in the aide memoire of September 18, 1948 and by the Government of the USSR in the aide memoire of September 18, 1948.

The Government of the United States of America states that the continuation of the negotiations on the above-mentioned questions on the present basis would be useless and considers that in order to create the conditions which would permit the continuation of the negotiations, there would have to be a removal of the temporary transport restrictions between Berlin and the western zones which were introduced by the Soviet Command for the purpose of protecting the interests of the German population as well as the economy of the Soviet zone of occupation and of Berlin itself.

Such a statement of the Government of the United States is in direct conflict with the agreement reached on August 30 in Moscow between the four governments (the directive to the Military Government in which it was stated:

"The Governments of France, the United Kingdom, the United States, and the USSR have decided that, subject to agreement being reached

Department of State Bulletin

g the four military governors in Berlin for practical implementation, the following steps be taken simultaneously:

-) Restrictions on communications, transport commerce between Berlin and the western zones, and also on the movement of cargoes to and from the Soviet zone of Germany, which have been imposed, shall be lifted;
-) The German mark of the Soviet zone shall be introduced as the sole currency for Berlin, and the Western mark B shall be withdrawn from circulation in Berlin."

From the text of the agreement cited above it is evident that the four governments agreed during negotiations in Moscow on the simultaneous lifting of restrictions on trade and communications between Berlin and the western zones and the introduction of the German mark of the Soviet zone as the sole currency in Berlin. The Soviet Government insists on this, since the situation created by the separate measures of the western governments means that the three governments are not binding themselves to their sovereign administration of the western zones of Germany but wish at the same time to administer in currency and financial matters the Soviet zone of occupation as if by means of introducing into Berlin, which is the center of the Soviet zone, their separate policy and thus disrupting the economy of the western zone of Germany and in the last analysis forcing the USSR to withdraw therefrom.

The Soviet Government considers it necessary that the agreement reached in Moscow be carried out and considers that further negotiations can be successful only in the event that the other three governments likewise observe that agreement. If the Government of the USA repudiates the agreement reached on August 30, only one conclusion can be drawn therefrom: namely, that the Government of the USA does not wish any agreement with the USSR, the USA, Great Britain and France for the settlement of the situation in Berlin. Inasmuch as the position of the Governments of the USA, Great Britain and France on the three

disputed points was set forth in the note of September 22, the Soviet Government considers it necessary to do likewise:

A) As regards air communication between Berlin and the western zones, the establishment by the Soviet Command of a control over the transport of commercial cargoes and passengers is just as necessary in this case as in the case of railway, water and highway transport. The air routes cannot remain uncontrolled, since an understanding has been reached between the four governments to the effect that the agreement must envisage the establishment of a corresponding control over currency circulation in Berlin and the trade of Berlin with the western zones.

B) In the directive to the Military Governors adopted by the four governments on August 30th the functions of control by the four power financial commission of the execution of financial measures connected with the introduction and circulation of a single currency in Berlin were explicitly provided for.

The Soviet Government considers it necessary that this agreement be carried out, including the maximum reduction of occupation costs in Berlin and the establishment of a balanced budget in Berlin (not considered up to this time in the Berlin conversations), which were provided for in that agreement.

C) The Soviet Government has already expressed its agreement that trade between Berlin, third countries and the western zones of Germany should be placed under the control of the four power financial commission. The Soviet Government now declares its readiness to agree to the establishment of four power control likewise over the issuance of import and export licenses, provided agreement is reached on all other questions.

4. Thus the reaching of agreement about the situation in Berlin now depends above all on whether the Governments of Great Britain, the United States of America and France are seeking such agreement.

TRI-PARTITE AIDE-MÉMOIRE TO SOVIET GOVERNMENT

The Governments of France, the United Kingdom and the United States having received studied reports from their Military Governors and the discussions in Berlin find it necessary to draw the attention of the Soviet Government to the fact that the position adopted by the Soviet Military Governor during the meetings in Berlin in a number of points deviate from the principles laid down at Moscow between the four Governments contained in the agreed directive to the four Military Governors. As the Soviet Government are, the terms of this directive were finally

agreed after long and careful consideration, and after clarifications as to interpretation had been received from the Soviet Government.

"2. The specific issues on which in the opinion of the Governments of France, the United Kingdom and the United States, the Soviet Military Governor has departed from the understandings reached at Moscow relate to: (1) restrictions on communications, transport and commerce between Berlin and the western zones; (2) the authority and functions of the financial commission, and in particular its relation to the German bank of

emission; and (3) the control of the trade of Berlin.

"3. As to the first, the Soviet Military Governor has presented a proposal which falls outside the agreed principle that the restrictions which have recently been imposed on communications, transport and commerce be lifted. He has proposed that restrictions upon air traffic, not heretofore existing, should now be imposed, and in particular that air traffic to Berlin should be strictly limited to that necessary to meet the needs of the military forces of occupation.

"4. As the Soviet Government is aware, the directive makes no mention of air transport and this question was not discussed at Moscow. The directive reads: 'Restrictions on communications, transport and commerce between Berlin and the western zones and to and from the Soviet zone of Germany which have recently been imposed shall be lifted.' There have been and are no such restrictions on air traffic. The purpose of the directive is to lift restrictions and not to impose new ones. The proposal of the Soviet Commander-in-Chief, therefore, falls outside the scope of the present discussions and is unacceptable.

"5. Secondly, on the question of the authority and functions of the financial commission there should be not the slightest grounds for any misunderstanding. At the meeting on August 23 attended by Premier Stalin and Mr. Molotov and the representatives of the Governments of France, the United Kingdom and the United States, the intention of the directive in regard to the powers of the financial commission including its power to control the operations in Berlin of the German bank of emission was clearly and specifically confirmed by Premier Stalin. The Soviet Military Governor has refused to accept both the meaning of the directive and the clear understanding of the Four Powers reached at Moscow.

"6. Thirdly, there is the question of the control of the trade of Berlin. The position of the Soviet Military Governor during the discussions in Berlin in regard to matters relating to the control of trade between Berlin and the western zones of Germany amounts to a claim for exclusive Soviet authority over such matters. Such a claim is a contradiction of the spirit and meaning of the directive to the four Military Governors to which the four Governments gave their approval and is therefore unacceptable.

"7. In bringing these major points of difference to the notice of the Soviet Government, the Governments of United States, the United Kingdom and France do not wish to imply that these are the only points of difference which have arisen during the conversations in Berlin.

"8. The Governments of France, the United Kingdom and the United States have understood clearly the principles agreed to in Moscow and the

assurances given by Premier Stalin. Their Military Governors in Berlin have acted in accordance with these principles and assurances. The position taken by the Soviet Military Governor, the contrary, has constituted a departure from what was agreed in Moscow and strikes at the very foundation upon which these discussions were undertaken. The divergencies which have accordingly arisen on these questions are so serious that the Governments of France, the United Kingdom and the United States feel compelled to inquire whether the Soviet Government is prepared to affirm the understandings outlined herein and issue the necessary instructions to the Soviet Military Governor, confirming the agreed intention of the directive in regard to

"(1) the lifting of all restrictions on communications, transport and commerce imposed after March 30, 1948, without imposition of any new air or other restrictions; and

"(2) the control by the financial commission of the financial arrangements contemplated in the agreed directive, including control of the operations of the Bank of emission with respect to Berlin as specifically confirmed by Premier Stalin and

"(3) a satisfactory basis for trade between Berlin and third countries and the western zones of Germany in accordance with an agreement to be reached between the four Military Governors which does not involve the unilateral control of such trade by the Soviet Trade Administration and which recognizes the rights of the occupying powers to import in fulfillment of their responsibilities and to control the proceeds from, food and fuel for the use of the Berlin population and industry.

"9. They believe that only if the steps proposed in the aide memoire are taken would it be possible for the Military Governors to continue the discussions."

Stalin being out of town and unavailable, the *aide-memoire* was delivered to Mr. Molotov by the three Western envoys on September 14.

Molotov expressed the view that progress could be facilitated if, instead of an immediate exchange of communications at the government level, the Military Governors were first to prepare an agreed report of their discussions; and he proposed that they be given two days to do this. The Western envoys pointed out that the Military Governor had already found it impossible to agree on such a joint report. Molotov then reluctantly agreed to submit the *aide-memoire* to his Government for study and reply.

On September 18, Mr. Molotov invited the Western envoys to the Kremlin and handed them the Soviet Government's reply, which was likewise in the form of an *aide-memoire*. The text was as follows:

"1. The Government of the USSR has acquainted itself with the aide memoire dated September 14 last of the Governments of France, the United Kingdom and the US, which gives a unilateral account of the course of discussions between the four Military Governors in Berlin and which presents incorrectly the position adopted by the Soviet Military Government during those discussions.

The Soviet Government believes that consideration of the difference referred to in the said aide memoire, which arose during the Berlin discussions in regard to the interpretation of the directive, the Military Governors would have been facilitated and expedited had the four Military Governors submitted to their governments a joint report with an account of the course of discussions. In that event the discussions in Moscow would not have been based on any unilateral communications but on an accurate statement of the positions adopted by all four Military Governors both on points already agreed between them and on points outstanding. Since, however, the representatives of the three Governments have refused to follow that method of discussion, the Soviet Government finds it necessary to reply to the question raised in the aide memoire.

The aide memoire of September 14 refers to the following 3 questions: (1) Restrictions on communications, transport and commerce between Berlin and the Western zones; (2) the authority and functions of the financial commission, and in particular its relation to the German Bank of Emission; (3) the control of the trade of Berlin. At the same time it is asserted that the Soviet Military Governor allegedly deviated from the understanding reached on these questions in Moscow.

The Soviet Government believes this assertion to be without foundation because during the Berlin discussions the Soviet Military Governor strictly followed the agreed directive and the clarifications which had been given by Soviet Government when it was being drawn up in Moscow. Only by the Soviet Government of all materials relating to the Berlin discussions has shown that the reason for the differences which arose during the Berlin discussions lies in the desire of the US, UK and the French Military Governors to interpret the directive agreed upon in Moscow in a unilateral manner and to give it an interpretation which had not been implied when it was being drawn up and which constitutes a violation of the directive, and with this the Soviet Government is unable to agree.

"2. The directive to the four Military Governors sets the following in regard to the first question referred to in the aide memoire of September 14: Restrictions on communications, transport and commerce between Berlin and the Western zones

and on the traffic of goods to and from the Soviet zone of Germany which have recently been imposed shall be lifted."

"The concrete proposals submitted by the Soviet Military Governor on this point are in full conformity with the directive and have for their purpose the lifting of all restrictions on communications, transport and commerce, which have been imposed after March 30, 1948, as was stipulated when the directive was drawn up. During consideration of this question the Soviet Military Governor pointed to the necessity of the other three Military Governors complying strictly with the regulations imposed by the Control Council's decision of November 30, 1945 on air traffic for the needs of the occupation forces and this had never been disputed by any of the Military Governors since the adoption of these regulations three years ago. There is no foundation whatsoever for regarding this justified demand of the Soviet Military Governor as an imposition of new restrictions on air traffic, because these regulations had been imposed as far back as 1945 and not after March 30, 1948. Nevertheless, the USA has attempted to deny the necessity of observing the regulations which had been imposed by the Control Council on air traffic of the occupation forces and which remain in force to this very day.

"In view of the above, the Soviet Government believes that the position of the Soviet Military Governor on this question is absolutely correct, while the position of the USA Military Governor, far from being based on the agreed directive, is in contradiction with it. An interpretation to the contrary might lead to an arbitrary denial of any decision previously agreed upon by the Control Council, and to this the Soviet Government cannot give its assent."

"3. The directive to the Military Governors also contains a clear statement regarding the authority and functions of the Financial Commission and regarding the German Bank of Emission.

"This directive was drawn up in full conformity with the preliminary clarifications on this matter

² The facts with respect to the Control Council's Nov. 30, 1945, decision are as follows:

During the discussions prior to the establishment of air corridors in 1945 the Soviet Military Authorities in Berlin had in fact suggested that the traffic in the corridors should be limited to the needs of the military forces. The Allied Control Authority (Allied Control Council) did not accept this Soviet proposal and the traffic in the corridors has since then been subject only to agreed safety regulations. No restrictions whatever were in existence on the use by aircraft of the occupying powers of air communications in the corridors between Berlin and the Western zones of Germany on or before Mar. 30, 1948.

This fact was specifically pointed out to Mr. Molotov by the British envoy, Mr. Roberts, immediately upon the receipt and reading of the *aide-memoire* handed to the Western representatives by Mr. Molotov on Sept. 18, 1948.

made by Premier J. V. Stalin on August 23, and referred to in the above-mentioned aide memoire.

"It will be seen from the above text that the authority and functions of the financial commission and of the German Bank of Emission are precisely laid down in the directive, and it was by this that the Soviet Military Governor was guided. According to that directive and to the understanding reached in Moscow by the four powers, the financial commission should not exercise control over all operations of the Bank of Emission in regard to Berlin, but only over those operations of the Bank of Emission in Berlin which are specifically provided for in paragraphs (A), (B), (C), and (D) of the directive. The proposal to establish control of the financial commission over the whole activity of the German Bank of Emission in Berlin was not accepted during the discussion of this question in Moscow because this would have led to such interference on the part of the financial commission in matters of the regulation of currency circulation as is incompatible with the Soviet Administration's responsibility for the regulation of currency circulation in the Soviet zone of occupation.

"Accordingly, the Soviet Government cannot agree to the incorrect interpretation of the agreed directive given in the aide memoire of the Government of France, the UK and the USA, and believes it necessary that the directive should be strictly followed.

"4. As to trade, the previously agreed directive is confined to an instruction to the Military Governors to work out a satisfactory basis for trade between Berlin and third countries and the Western zones of Germany. It will be recalled that on August 23 during the discussions in Moscow, the Soviet Government submitted a definite proposal on this subject, but the question was not considered in detail and was referred to the Military Governors for discussion.

"The proposals on this subject made by the Soviet Military Governor give no reason to assert that they are a contradiction of the spirit and meaning of the agreed directive. On the contrary, the intention of those proposals is to have the directive fulfilled in accordance with the agreements reached in Moscow.

"However, for the purpose of expediting the drawing up of practical arrangements in Berlin the Soviet Government proposes that the Military Governors be given more detailed instructions on this matter than those contained in the agreed directive. The Soviet Government agrees to have trade between Berlin and third countries and the Western zones of Germany placed under the con-

trol of the quadripartite financial commission which control should provide at the same time for the maintenance of the existing procedure regarding the traffic of goods in and out of Berlin under license of the Soviet Military Administration. The Soviet Government believes that such an instruction would be of help in the drawing up of a concrete agreement on matters of trade with Berlin.

"5. The Soviet Government believes that discussions between the Military Governors in Berlin can yield positive results only in the event that the Military Governors follow strictly the directives and instructions agreed between the Governments of France, the UK, the US and the USSR.

The Western envoys, after reading this document, stated that they would submit it to their governments for consideration but warned that it would scarcely be acceptable.

After studying the reply just quoted, the three governments delivered to the Soviet Embassies in Washington, London and Paris on September 2, 1948, identical third person notes in the following text:

"(1) The Government of the United States, together with the Governments of France and the United Kingdom, has now reviewed the discussions which have taken place on the Berlin situation and which have culminated in the Soviet reply of September 18 to the aide-memoire of the three Governments of September 14, 1948.

"(2) The three Governments find that the Soviet unwillingness to accept previous agreements to which reference is made in their aide-memoire of September 14, is still preventing a settlement. The reply of the Soviet Government in its aide-memoire of September 18 is unsatisfactory.

"(3) The final position of the three Governments on the specific points at issue is as follows:

"(A) They cannot accept the imposition of additional restrictions on air traffic between Berlin and the Western zones.

"(B) They insist that the Finance Commission must control the activities of the German Bank of Emission of the Soviet Zone in so far as they relate to the financial arrangements for the introduction and continued use of the Soviet zone mark as the sole currency in the city of Berlin.

"(C) They insist that trade between Berlin and the Western zones and other countries must be under quadripartite control, including the issuance of licenses.

"(4) After more than six weeks of discussion the Governments of the United States, France and

United Kingdom feel that the Soviet Government is now fully acquainted with the position of the three Governments, and that further discussions on the present basis would be useless.

(5) It is clear that the difficulties that have arisen in the attempts to arrive at practical arrangements which would restore normal conditions in Berlin derive not from technical matters but from a fundamental difference of views between the Governments of the United States, France and the United Kingdom, and the Soviet Government as to the rights and obligations of the occupying powers in Berlin, their right to have access by air, rail, water and road to Berlin and to participate in the administration of the affairs of the city of Berlin. The blockade imposed by the Soviet authorities together with other of their acts in Berlin is in violation of the rights of the three Western occupying powers.

(6) Accordingly the Government of the United States, in agreement with the Governments of France and the United Kingdom, asks the Soviet Government whether, in order to create conditions which would permit a continuance of discussions, it is now prepared to remove the blockade measures, thus restoring the right of the three Western occupying powers to free communications by rail, water, and road, and to specify the date on which this will be done.

(7) The Foreign Ministers of the three Governments will be meeting shortly in Paris, and they will be glad to have the reply of the Soviet Government as soon as possible."

September 22, 1948

Publication of the Report on the Moscow Discussions

In view of the breakdown of the discussions at Moscow between the representatives of the Western Powers and the Soviet Union, centering upon the Berlin crisis, the Department of State on September 27 released a report on the Moscow discussions that reviews the events leading to the breakdown and records the documents in the case. Section I of the report recalls that the Soviet Government has maintained first that its measures restricting communications, transport, and commerce between Berlin and Western Germany were necessitated by "technical difficulties" and then that they were "defensive" against conditions created by the currency reform in Western Germany and Western Berlin. The chronological record of events, however, from March 30 to September 26, 1948, reveals that many of the Soviet restrictive measures were imposed months before

the currency reform and that they have been systematic products of a deliberate coercive purpose rather than the results of "technical difficulties".

Section II records the Moscow discussions that started on July 30, when the three Western Powers, unable to see either Molotov or Vishinsky, held a meeting with Deputy Foreign Minister Zorin. The first meeting with Foreign Minister Molotov and Generalissimo Stalin took place on August 2. In the course of events, from the original request by the Western Powers for discussions on the Berlin crisis to the ultimate breakdown of negotiations, the following statements, notes, and proposals are reproduced either in part or in full in the report: The American note of July 6 and the Soviet reply of July 14; the Western request for discussion with Stalin and Molotov and the U.S. *aide-memoire* of July 30; accounts of the meetings with Zorin on July 30 and with Molotov on July 31; the record of the first meeting with Stalin, including his proposals. In the drafting meetings with Foreign Minister Molotov, the initial Western draft of August 6 is printed together with Mr. Molotov's counter-draft; also printed are Ambassador Smith's statement on behalf of the Western Powers of August 12, Mr. Molotov's reaction, the Western draft text of August 17, and Mr. Molotov's counter-draft of August 17.

The following documents relating to the second meeting with Stalin on August 23 are reproduced: his statements on August 23; U.S. views telegraphed to Ambassador Smith; draft communiqué and directive of August 27 worked out with Molotov and Vishinsky; and the directive of August 30 sent to Military Governors in Berlin. The technical discussions in Berlin from August 31 to September 7 are commented on briefly. The text of the new *aide-memoire* of the Western Powers delivered in Moscow on September 14 is printed together with Mr. Molotov's *aide-memoire* of September 18 in reply, and the notes delivered by the three Governments to the Soviet Embassies in Washington, London, and Paris on September 22. The last documents included in the report include the Soviet note of September 25, the communiqué issued in Paris on September 26 by the Foreign Ministers of France, the United Kingdom, and the United States, and the note delivered on September 26 by the Acting Secretary of State in Washington to the Soviet Ambassador.

Copies of *The Berlin Crisis: A Report on the Moscow Discussions, 1948*, Department of State publication 3298, may be obtained from the Superintendent of Documents, Government Printing Office, Washington 25, D.C., for 20 cents each.

THE THIRD REGULAR SESSION OF THE GENERAL ASSEMBLY, PARIS

No Compromise on Essential Freedom

ADDRESS BY SECRETARY MARSHALL ON SEPTEMBER 23, 1948

Chairman, U.S. Delegation

[Released to the press September 23]

MR. PRESIDENT, FELLOW DELEGATES: We are particularly happy to meet here in Paris. France has, through the centuries, nourished the arts and sciences for the enrichment of all mankind and its citizens have striven persistently for expanding freedom for the individual. It is entirely fitting that this General Assembly, meeting in France which fired the hearts of men with the Declaration of the Rights of Man in 1789, should consider in 1948 the approval of a new declaration of human rights for free men in a free world.

U.N. Charter as Protection for Free Men

Not only is it appropriate that we should have reaffirmed our respect for the human rights and fundamental freedoms but that we should renew our determination to develop and protect those rights and freedoms. Freedom of thought, conscience, and religion; freedom of opinion and expression; freedom from arbitrary arrest and detention; the right of a people to choose their own government, to take part in its work, and, if they become dissatisfied with it, to change it; the obligation of government to act through law—these are some of the elements that combine to give dignity and worth to the individual.

The Charter of the United Nations reflects these concepts and expressly provides for the promotion and protection of the rights of man, as well as for the rights of nations. This is no accident. For in the modern world, the association of free men within a free state is based upon the obligation of citizens to respect the rights of their fellow citizens. And the association of free nations in a free world is based upon the obligation of all states to respect the rights of other nations.

Systematic and deliberate denials of basic human rights lie at the root of most of our troubles and threaten the work of the United Nations. It is not only fundamentally wrong that millions of men and women live in daily terror of secret police, subject to seizure, imprisonment, or forced labor without just cause and without fair trial, but these wrongs have repercussions in the community of nations. Governments which systematically disregard the rights of their own people are not

likely to respect the rights of other nations or other people and are likely to seek their objectives by coercion and force in the international field.

The maintenance of these rights and freedom depends upon adherence to the abiding principles of justice and morality embodied in the rule of law. It will, therefore, always be true that those Members of the United Nations which strive with sincerity of purpose to live by the Charter and conform to the principles of justice and law proclaimed by it, will be those states which are genuinely dedicated to the preservation of the dignity and integrity of the individual.

Let this third regular session of the General Assembly approve by an overwhelming majority the Declaration of Human Rights as a standard of conduct for all; and let us, as Members of the United Nations, conscious of our own shortcomings and imperfections, join our effort in good faith to live up to this high standard.

Recent Economic and Social Progress

Our aspirations must take into account men's practical needs—improved living and working conditions, better health, economic and social advancement for all, and the social responsibilities which these entail. The United Nations is pledged in the Charter to promote "higher standards of living, full employment, and conditions of economic and social progress and development".

The Secretary-General has devoted a considerable part of his annual report to the nature of the progress thus far made in this field. It is evident from the record that we can be encouraged by what is being done. The United Nations is directly engaged in efforts to alleviate the social and economic disorder and destruction resulting from the war. The International Refugee Organization is giving assistance to displaced persons. The International Children's Emergency Fund is providing emergency aid to children and mothers over wide areas. As part of the United Nations efforts to increase productivity by applying new and advanced techniques, the Food and Agriculture Organization is broadening the use of improved seeds and fertilizers. The tuberculosis

ject jointly sponsored by the World Health Organization and the International Children's Emergency Fund represents another example of constructive work of our organization.

Through the United Nations we are seeking to combine our efforts to promote international trade, solve the difficulties of foreign exchange, to facilitate the voluntary migration of peoples, and increase the flow of information and ideas across national boundaries. The International Trade Organization charter would establish procedures for expanding multilateral trade, with the goal of raising living standards and maintaining full employment. The Conference on Freedom of Information was responsible for the conventions made before this Assembly which embody principles and procedures for expanding the exchange of information. It is our hope that the Assembly will make these conventions thoughtful and favorable for consideration. While the United Nations and its specialized agencies are increasingly helpful in the economic and social field, primary responsibility for improving standards of living will continue to rest with the governments of the peoples themselves. International organizations cannot take the place of national and personal effort, or local initiative and individual imagination. International action cannot replace self-help, nor can we move toward general cooperation without maximum mutual help among close neighbors.

Rift Among Nations Must Be Checked

The United Nations was not intended to preclude cooperative action among groups of states for common purposes consistent with the Charter of the United Nations. It has been disappointing that efforts at economic recovery consistent with this concept have been actively opposed by some who seem to fear the return of stability and confidence. We must not be misled by those who, in the name of revolutionary slogans, would prevent reconstruction and recovery to hold out illusions of future well-being at the price of starvation and disorder today.

A year ago I expressed the view to the General Assembly that "a supreme effort is required from all if we are to succeed in breaking through the vicious circles of deepening political and economic crisis". I believe that most of us in this organization have sought to make such an effort—and that it is beginning to bring results.

Despite the cooperative action of most nations to rebuild peace and well-being, tension during the past year has increased. The leaders of the other nations are creating a deep rift between their countries and the rest of the world community. We must not allow that rift to widen any further, and we must redouble our efforts to find a common ground. Let us go back to the Charter, to words that were solemnly written by the peoples of the

United Nations while the tragedy of war was vividly stamped on their minds.

"We the peoples of the United Nations", says the Charter, are "determined to save succeeding generations from the scourge of war . . . and for these ends to practice tolerance and live together in peace with one another as good neighbors". Three years later, we are confronted with the need to save not only succeeding generations, but also our own.

The first purpose of the United Nations is to maintain international peace and security and to that end all members are pledged to settle their international disputes by peaceful means and in conformity with the principles of justice and international law.

We are pledged to seek an accommodation by which different cultures, different laws, different social and economic structures, and different political systems can exist side by side without violence, subversion, or intimidation. An elementary requirement is that international obligations be respected and that relations among states be based on mutual confidence, respect, and tolerance.

How can we establish among governments and peoples the confidence which is necessary to a just and stable peace and is basic to the work of the United Nations? The need at this session of the General Assembly and in subsequent months is to achieve, or at least to move nearer, a settlement of the major issues which now confront us. For its part, the United States is prepared to seek in every possible way, in any appropriate forum, a constructive and peaceful settlement of the political controversies which contribute to the present tension and uncertainty.

I do not wish to deal at this time with the details of any particular issue, but there are broad lines along which a just and equitable settlement of each of these questions might be reached. Some of these matters are on the agenda of the United Nations, others, such as those dealing with the peace settlements, are to be dealt with in other forums. Nevertheless, whatever the forum, as members of the United Nations, we are all subject to the principles of the Charter.

If we want to have peace we must settle the issues arising out of the last war. The Charter was written with the expectation that the solution of the problems before the United Nations would not be made more difficult by long delay in completing the peace settlements.

Goals Toward Peace

Germany, Japan, and Austria. We should, therefore, make every effort to achieve an early and just peace settlement so that Japan and Germany may exist as democratic and peaceful nations, subject to safeguards against the revival of

military or economic means of aggression, and so that they may in due course demonstrate their qualification for admission to membership in the United Nations. In Austria our aim is the restoration of its political and economic freedom within its 1937 frontiers and its immediate admission as a Member of the United Nations.

Other questions affecting world peace are now before the United Nations, some of them before this Assembly. We believe that the ends to be sought on these matters may be briefly summarized as follows:

Palestine. A Palestine free from strife and the threat of strife, with both the Jews and Arabs assured the peaceful development envisaged by the actions of the General Assembly and the Security Council; an early demobilization of armed forces to permit the return to conditions of peace and normal living in Palestine; the repatriation of refugees who wish to return and live in peace with their neighbors; economic aid to Jews and Arabs to restore and strengthen their economic well-being; the admission of Transjordan and Israel to membership in the United Nations.

Korea. A unified and independent Korea, accepted as a member of the United Nations, acting under a constitution and a government selected by the Koreans themselves through free elections, and receiving the economic and political encouragement which it will need as it embarks upon its new life as a Korean Nation.

Greece. A Greece made secure from aggressive and unlawful interference from without, ordering its political life by the democratic process and by respect for law, enabled to rebuild its economy and to provide its people the essentials of a decent life which they have been without for so long.

Indonesia. A negotiated settlement without further bloodshed in Indonesia, along the broad lines of the Renville agreement, providing within a brief period both the sovereign independence sought by the peoples of Indonesia and continued cooperation between them and the people of the Netherlands.

India and Pakistan. Continuation of the mediation and negotiation between the great nations of India and Pakistan with respect to Kashmir, in order that the processes of peaceful settlement may bring to a conclusion an issue which has been charged with great dangers.

Atomic Energy. The early adoption of an international system for the control of atomic energy, providing for the elimination of atomic weapons from national armaments, for the development of atomic energy for peaceful purposes only, and for safeguards to insure compliance by all nations with the necessary international measures of control.

Armaments. Under adequate and dependable

guaranty against violation, a progressive reduction in armaments as rapidly as the restoration of political confidence permits.

Other Problems

Other situations or problems might be mentioned, but if constructive steps are taken toward the settlement of those which have been indicated, new hope would arise among men and new confidence among the nations of the world. It can be readily seen that the above pattern is toward peace. No governments or peoples who work toward such ends can be held to be seeking war or imperialist expansion, or disorder and strife.

Trusteeship. We have noted with particular interest the report of the Secretary-General on the work of the nations relating to the million people who are not yet fully self-governing. We are mindful of the obligations undertaken in the Charter for the political, economic, and social development of these peoples. We believe that the possible assistance and encouragement should be given to them, to the end that they may play their full part in the family of nations—either as independent states or in freely chosen association with other states.

Membership. In our efforts toward peaceful settlement we must continue working to improve the functioning of the machinery of the United Nations. We hope that the Security Council will proceed to recommend during this session of the General Assembly the admission of additional members. There are a number of fully qualified states, now awaiting admission, whose elevation has been supported by the United States but which have been blocked for reasons not consistent with the Charter. The most recent application, Ceylon, one of the few states to emerge in southern Asia, has been denied the membership to which it justly aspires.

Interim Committee. The report of the Interim Committee on the problem of voting in the Security Council represents the first comprehensive study on this vital problem since San Francisco and contains the views of an overwhelming majority of the members. The work of the Security Council would be greatly facilitated if the recommendations of the Interim Committee could be accepted by the members of the Council.

The Interim Committee itself has worked fully and effectively during the past year and will continue to render an important service to the General Assembly. We hope that the Assembly will agree to its continuation for another year in order to give us more experience before deciding whether it should become a permanent part of the Organization.

Need for U.N. Guard. The United States joins in expressing great appreciation to those individuals who have served on United Nations missions.

ing the past year, either as members of national delegations or of the Secretariat. These representatives in the field have served with courage and devotion to duty. Their service has been given particularly solemn reminder of these conditions by the tragic death of Count Folke Bernadotte and Colonel Serot at the hands of assassins. The people of the United States join in tribute to a man who worked brilliantly and courageously as the United Nations mediator in Palestine. We tribute also to those others who have lost their lives in the service of peace.

We believe that the Assembly should give sympathetic consideration to the suggestions of the Secretary-General for the establishment of a small United Nations guard force to assist United Nations missions engaged in the pacific settlement of disputes. The fate of the Mediator in Palestine and the experience of the several commissions already working in the field have already demonstrated the need for such a group. This great world organization should not send its servants on missions of peace without reasonable protection. The guards would be entirely distinct from the armed forces envisaged under article 43 and would not carry out military operations. They could, however, perform important services in connection with United Nations missions abroad not only as guards but also as observers and as communications and transportation personnel.

Minority Position Self-Imposed

Mr. President, one of the principal purposes of the United Nations, according to article 1, is "to be a center for harmonizing the actions of nations for the attainment of the common ends" set forth in the Charter. The problem of making and keeping the peace involves many governments and many peoples. On the issues which call for settlement, the large powers as well as the small must submit their policies to the judgment of the world community. For this purpose appropriate forums have been established for the adjustment of differences through the impartial opinions of the international society. This process has been seriously hampered by the refusal of a group of nations to

participate in certain of the important commissions established by this Assembly, such as the Balkan Commission, the Korean Commission, and the Interim Committee.

More important than this boycott, however, is the disturbing lack of cooperation which the United Nations has received in its efforts to resolve such questions as Korea and Greece and to bring about the international control of atomic energy. This persistent refusal of a small minority to contribute to the accomplishment of our agreed purposes is a matter of profound concern.

There is no plot among Members of this Organization to keep any nation or group of nations in a minority. The minority position is self-imposed. The record shows that there are no mechanical majorities at the disposal of any nation or group of nations. Majorities form quickly in support of the principles of the Charter. Nations consistently in the minority would be welcomed among the ranks of the majority—but not at the price of compromise of basic principle.

Patience in Understanding

The United Nations has sought to promote the free exchange of ideas on a basis of full reciprocity. The effort is of the greatest political importance. Any government which by deliberate action cuts itself and its people off from the rest of the world becomes incapable of understanding the problems and policies of other governments and other peoples. It would be a tragic error, if, because of such misunderstanding, the patience of others should be mistaken for weakness.

The United States does not wish to increase the existing tension. It is its wholehearted desire to alleviate that tension. But we will not compromise essential principles. We will under no circumstances barter away the rights and freedoms of other peoples. We earnestly hope that all Members will find ways of contributing to the lessening of tensions and the promotion of peace with justice. The peoples of the earth are anxiously watching our efforts here. We must not disappoint them.

Conclusions From Progress Report of the U.N. Mediator on Palestine ¹

MEDIATION EFFORT

VIII. Conclusions

1. Since I presented my written Suggestions to the Arab and Jewish authorities on 27 June, I have made no formal submission to either party of further suggestions or proposals for a definitive settlement.² Since that date, however, I have held many oral discussions in the Arab capitals and Tel Aviv, in the course of which various ideas on settlement have been freely exchanged. As regards my original Suggestions, I hold to the opinion that they offered a general framework within which a reasonable and workable settlement might have been reached, had the two parties concerned been willing to discuss them. They were flatly rejected, however, by both parties. Since they were put forth on the explicit condition that they were purely tentative, were designed primarily to elicit views and counter-suggestions from each party, and, in any event, could be implemented only if agreed upon by both parties, I have never since pressed them. With respect to one basic concept in my Suggestions, it has become increasingly clear to me that however desirable a political and economic union might be in Palestine, the time is certainly not now propitious for the effectuation of any such scheme.

2. I do not consider it to be within my province to recommend to the Members of the United Nations a proposed course of action on the Palestine question. That is a responsibility of the Members acting through the appropriate organs. In my role as United Nations Mediator, however, it was inevitable that I should accumulate information and draw conclusions from my experience which might well be of assistance to Members of the United Nations in charting the future course of United Nations action on Palestine. I consider it my duty, therefore, to acquaint the Members of the United Nations, through the medium of this report, with certain of the conclusions on means of peaceful adjustment which have evolved from my frequent consultations with Arab and Jewish authorities over the past three and one-half months and from my personal appraisal of the present Palestinian scene. I do not suggest that these conclusions would provide the basis for a proposal which would readily win the willing approval of both parties. I have not, in the course of my intensive

¹ Excerpts from U.N. doc. A/648 (part one, p. 29; part two, p. 23; and part three, p. 11), Sept. 18, 1948. The report was signed by Folke Bernadotte in Rhodes on Sept. 16, 1948.

² BULLETIN of July 25, 1948, p. 105.

Statement by Secretary Marshall

[Released to the press September 21]

The United States considers that the conclusions contained in the final report of Count Bernadotte offer a generally fair basis for settlement of the Palestine question. My Government is of the opinion that the conclusions are sound and strongly urges the parties and the General Assembly to accept them in their entirety as the best possible basis for bringing peace to a distracted land.

No plan could be proposed which would be entirely satisfactory in all respects to every interested party. The United Nations has endeavored to achieve a solution by peaceful adjustment and entrusted the task to its mediator, Count Bernadotte. He energetically, courageously, and with a spirit of complete fairness, we feel, canvassed all the possibilities and proposed as his last contribution toward a world of peace a sound basis for settlement. He gave his life to this effort.

The complexities of the problem and the violent emotions which have been engendered are such that the details of any plan could be debated endlessly. As a matter of fact, the debate on this question has been carried on for years in almost every kind of public forum. It is our sincere hope that the parties concerned will realize that their best interests and the interests of the world community will be served by accepting in a spirit of fair compromise the judgment of Count Bernadotte.

efforts to achieve agreement between Arabs and Jews, been able to devise any such formula. I am convinced, however, that it is possible at this stage to formulate a proposal which, if firmly approved and strongly backed by the General Assembly, would not be forcibly resisted by either side, confident as I am, of course, that the Security Council stands firm in its resolution of 15 July that military action shall not be employed by either party in the Palestine dispute. It cannot be ignored that the vast difference between now and last November is that a war has been started and stopped and that in the intervening months decisive events have occurred.

SEVEN BASIC PREMISES

3. The following seven basic premises form the basis for my conclusions:

Return to peace

(a) Peace must return to Palestine and every feasible measure should be taken to ensure that hostilities will not be resumed and that harmonious relations between Arab and Jew will ultimately be restored.

The Jewish State

(b) A Jewish State called Israel exists in Palestine and there are no sound reasons for assuming that it will not continue to do so.

Boundary determination

(c) The boundaries of this new State must finally be fixed either by formal agreement between the parties concerned or failing that, by the United Nations.

Continuous frontiers

(d) Adherence to the principle of geographical homogeneity and integration, which should be the major objective of the boundary arrangements, should apply equally to Arab and Jewish territories, whose frontiers should not therefore, be rigidly controlled by the territorial arrangements envisaged in the resolution of 29 November.

Right of repatriation

(e) The right of innocent people, uprooted from their homes by the present terror and ravages of war, to return to their homes, should be affirmed and made effective, with assurance of adequate compensation for the property of those who may choose not to return.

Jerusalem

(f) The City of Jerusalem, because of its religious and international significance and the complexity of interest involved, should be accorded special and separate treatment.

International responsibility

(g) International responsibility should be expressed where desirable and necessary in the form of international guarantees, as a means of allaying existing fears, and particularly with regard to boundaries and human rights.

SPECIFIC CONCLUSIONS

4. The following conclusions, broadly outlined, could, in my view, considering all the circumstances, provide a reasonable, equitable and workable basis for settlement:

(a) Since the Security Council, under pain of Chapter VIII sanctions, has forbidden further employment of military action in Palestine as a means of settling the dispute, hostilities should be pronounced formally ended either by mutual agreement of the parties or, failing that, by the United Nations. The existing indefinite truce could be superseded by a formal peace, or at the minimum, an armistice which would involve either complete withdrawal and demobilization of armed forces or their wide separation by creation of broad militarized zones under United Nations supervision.

(b) The frontiers between the Arab and Jewish

territories, in the absence of agreement between Arabs and Jews, should be established by the United Nations and delimited by a technical boundaries commission appointed by and responsible to the United Nations, with the following revisions in the boundaries broadly defined in the resolution of the General Assembly of 29 November in order to make them more equitable, workable and consistent with existing realities in Palestine.

- (i) The area known as the Negev, south of a line running from the sea near Majdal east southeast to Faluja (both of which places would be in Arab territory), should be defined as Arab territory;
- (ii) The frontier should run from Faluja north northeast to Ramleh and Lydda (both of which places would be in Arab territory), the frontier at Lydda then following the line established in the General Assembly resolution of 29 November;
- (iii) Galilee should be defined as Jewish territory.

(c) The disposition of the territory of Palestine not included within the boundaries of the Jewish State should be left to the Governments of the Arab States in full consultation with the Arab inhabitants of Palestine, with the recommendation, however, that in view of the historical connection and common interests of Transjordan and Palestine, there would be compelling reasons for merging the Arab territory of Palestine with the territory of Transjordan, subject to such frontier rectifications regarding other Arab States as may be found practicable and desirable.

(d) The United Nations, by declaration or other appropriate means, should undertake to provide special assurance that the boundaries between the Arab and Jewish territories shall be respected and maintained, subject only to such modifications as may be mutually agreed upon by the parties concerned.

(e) The port of Haifa, including the oil refineries and terminals, and without prejudice to their inclusion in the sovereign territory of the Jewish State or the administration of the city of Haifa, should be declared a free port, with assurances of free access for interested Arab countries and an undertaking on their part to place no obstacle in the way of oil deliveries by pipeline to the Haifa refineries, whose distribution would continue on the basis of the historical pattern.

(f) The airport of Lydda should be declared a free airport with assurance of access to it and employment of its facilities for Jerusalem and interested Arab countries.

(g) The City of Jerusalem, which should be understood as covering the area defined in the resolution of the General Assembly of 29 November,

should be treated separately and should be placed under effective United Nations control with maximum feasible local autonomy for its Arab and Jewish communities, with full safeguards for the protection of the Holy Places and sites and free access to them, and for religious freedom.

(h) The right of unimpeded access to Jerusalem, by road, rail or air, should be fully respected by all parties.

(i) The right of the Arab refugees to return to their homes in Jewish-controlled territory at the earliest possible date should be affirmed by the United Nations, and their repatriation, resettlement and economic and social rehabilitation, and payment of adequate compensation for the property of those choosing not to return, should be supervised and assisted by the United Nations conciliation commission described in paragraph (k) below.

(j) The political, economic, social and religious rights of all Arabs in the Jewish territory of Palestine and of all Jews in the Arab territory of Palestine should be fully guaranteed and respected by the authorities. The conciliation commission provided for in the following paragraph should supervise the observance of this guarantee. It should also lend its good offices, on the invitation of the parties, to any efforts toward exchanges of populations with a view to eliminating troublesome minority problems, and on the basis of adequate compensation for property owned.

(k) In view of the special nature of the Palestine problem and the dangerous complexities of Arab-Jewish relationships, the United Nations should establish a Palestine conciliation commission. This commission, which should be appointed for a limited period, should be responsible to the United Nations and act under its authority. The commission, assisted by such United Nations personnel as may prove necessary, should undertake

- (i) To employ its good offices to make such recommendations to the parties or to the United Nations, and to take such other steps as may be appropriate, with a view to ensuring the continuation of the peaceful adjustment of the situation in Palestine;
- (ii) Such measures as it might consider appropriate in fostering the cultivation of friendly relations between Arabs and Jews;
- (iii) To supervise the observance of such boundary, road, railroad, free port, free airport, minority rights and other arrangements as may be decided upon by the United Nations;

- (iv) To report promptly to the United Nations any development in Palestine likely to alter the arrangements approved by the United Nations in the Palestine settlement or to threaten the peace of the area.

SUPERVISION OF THE TWO TRUCES

V. Some Conclusions Regarding the Truce Operation

1. The supervision of the truce is a continuing responsibility and it is neither necessary nor desirable at this stage to formulate any definite views concerning the operation. The experience thus far gained in the supervision of two truces extending over a total period of more than thirty months has been very valuable, however, and the basis of this experience certain analyses and conclusions may even now be usefully set forth.

2. In assessing in general terms the entire period of truce, my dual role of Mediator and of supervisor of truce observation is an important factor. Conditions of truce, even though subject to frequent minor and occasional major infractions by both parties, provide a peaceful basis indispensable to the task of mediation. At the same time, organizing and supervising truce observance make imperative demands on time and staff. I am inevitably drawn into the settlement of disputes arising solely out of the truce, and it may be readily appreciated that my position and decisions as truce supervisor cannot, in the minds of the disputants, be easily dissociated from my role in the more fundamental task of mediation.

3. The situation in Jerusalem has been considerably more tense and difficult during the second truce than during the first. This fact is due to a complex of reasons among which are the changes in military dispositions between truces, and the increased concentration of manpower which appears to have taken place there in the interval between the truces. The special importance which each side attaches to the status of Jerusalem in the general settlement of the Palestine problem is, under the circumstances, a constant influence tending to heighten the tension there.

4. However, the situation in Jerusalem has shown recent improvement. The decision of the Security Council on 19 August fixing the responsibility of the parties under the cease-fire order has resulted in a considerable increase in the number of United Nations Observers stationed there, and intensive efforts to achieve localized demilitarization agreements, have produced beneficial results. Nevertheless, the conditions in Jerusalem are such that not even the increased number of Observers now there could for long maintain the truce in the C

it should appear likely that a settlement would indefinitely be deferred.

5. United Nations supervision of the regular convoys of Jerusalem has been an important feature of both truces. The movement of these convoys involved difficult negotiation and constant supervision and escort. Apart from some sniping activity during the early days of each truce, the convoy system has worked remarkably well. On the other hand, persistent efforts to ensure the flow of water to Jerusalem through the main pipe-lines have met with failure during both truces, the destruction of the Latrun pumping station having far nullified all efforts to solve the problem during the second truce.

6. The period of the first truce coincided with the ripening of cereal crops in Palestine. Since the front lines ran almost entirely through land belonging to Arab cultivators, a great number of fields bearing crops was in no-man's land or behind Jewish positions. Attempts by Arabs to harvest crops in no-man's land and in the vicinity of and sometimes behind Jewish positions often led the Jews to react by firing on the harvesters. This was a major complication during the first truce, both before and after my ruling of 16 June, and explains many of the breaches of truce and the difficulties of truce observation over a wide area. During the second truce, incidents of this nature have been relatively few, since the harvest season for cereal crops is over. The efforts of Observers in securing local agreements regarding harvesting crops undoubtedly saved many crops that would otherwise have been lost.

7. The fact that in the Negev there is no continuous front line has been, during both truces, a special cause of difficulty as a result of the need for each side to by-pass the other's positions in order to supply some of its own positions. Convoys under United Nations supervision largely solved the problem, though not without friction, during the first truce. During the second truce a similar system was proposed, but agreement on conditions could not be reached with the parties. Consequently, on 14 September I laid down the terms governing future convoys in the Negev.

8. In considering the effectiveness of the truce supervision, attention must be paid to two distinct, though related, aspects of the problem. On the one hand, there is the problem of observing the actual fighting fronts, of dealing with incidents which may arise there and preventing, if possible, any further outbreak of hostilities. On the other hand, there is the observation which is necessary over a vast area to check whether or not materials and men are being moved in a manner to confer military advantage contrary to the terms of the

truce. As regards the second aspect of this problem, an important consideration is that the area under observation covers a very large part of the Middle East and that the necessity to concentrate a majority of the limited number of Observers at my disposal near the fighting fronts restricts the number available for duties elsewhere. The availability of an increased number of Observers has enabled me to ensure a more extensive supervision, especially in territories outside Palestine.

9. Experience has shown that the more quickly action can be taken to deal with a local violation, the more easily incidents are controlled or prevented. It must be admitted that, on occasion, slowness to act, often because of circumstances beyond control, has hampered the operation of the truce supervision. Although the Secretary-General of the United Nations has given me the fullest co-operation and every assistance available to him, it is apparent that the United Nations was not in a position as regards Observer personnel, armed guards, communications and transportation equipment or budgetary provision to set up rapidly the elaborate machinery of truce observation required.

10. The second truce differed from the first principally in the fact that it was ordered by the Security Council under threat of further action under Chapter VII of the Charter, and that no time limit was set. This introduced a new element into the situation as compared with the first truce, in that the second truce involved compliance with a Security Council order. There is a tendency on each side to regard alleged breaches by the other side of a truce which has been ordered by the Security Council as calling for prompt action by that Council. Both sides now evidence a sense of grievance and complain that the compulsory prolongation of the truce is contrary to their interests. This feeling is inevitably reflected in their attitudes toward the Observers and truce obligations in general. The truce undoubtedly imposes a heavy burden on both sides, but even so, the burden of war would be heavier.

11. The truce is not an end in itself. Its purpose is to prepare the way for a peaceful settlement. There is a period during which the potentiality for constructive action, which flows from the fact that a truce has been achieved by international intervention, is at a maximum. If, however, there appears no prospect of relieving the existing tension by some arrangement which holds concrete promise of peace, the machinery of truce supervision will in time lose its effectiveness and become an object of cynicism. If this period of maximum tendency to forego military action as a means of achieving a desired settlement is not seized, the advantage gained by international intervention may well be lost.

ASSISTANCE TO REFUGEES

VI. Conclusions

1. Conclusions which may be derived from the experience to date are summarized as follows:

(a) As a result of the conflict in Palestine there are approximately 360,000 Arab refugees and 7,000 Jewish refugees requiring aid in that country and adjacent States.

(b) Large numbers of these are infants, children, pregnant women and nursing mothers. Their condition is one of destitution and they are "vulnerable groups" in the medical and social sense.

(c) The destruction of their property and the loss of their assets will render most of them a charge upon the communities in which they have sought refuge for a minimum period of one year (through this winter and until the end of the 1949 harvest).

(d) The Arab inhabitants of Palestine are not citizens or subjects of Egypt, Iraq, Lebanon, Syria and Transjordan, the States which are at present providing them with a refuge and the basic necessities of life. As residents of Palestine, a former mandated territory for which the international community has a continuing responsibility until a final settlement is achieved, these Arab refugees understandably look to the United Nations for effective assistance.

(e) The temporary alleviation of their condition, which is all that my disaster relief programme can promise them now, is quite inadequate to meet any continuing need, unless the resources in supplies and personnel available are greatly increased. Such increased resources might indirectly be of permanent value in establishing social services in the countries concerned, or improving greatly existing services. This applies particularly to general social administrative organizations, maternal and child care services, the training of social workers, and the improvement of food economics.

(f) The refugees, on return to their homes, are entitled to adequate safeguards for their personal security, normal facilities for employment, and adequate opportunities to develop within the community without racial, religious or social discrimination.

(g) So long as large numbers of the refugees remain in distress, I believe that responsibility for their relief should be assumed by the United Na-

tions in conjunction with the neighbouring Arab States, the Provisional Government of Israel, the specialized agencies, and also all the voluntary bodies or organizations of a humanitarian and non-political character.

2. In concluding this part of my report, I must emphasize again the desperate urgency of this problem. The choice is between saving the lives of many thousands of people now or permitting them to die. The situation of the majority of these hapless refugees is already tragic, and to prevent them from being overwhelmed by further disaster and to make possible their ultimate rehabilitation it is my earnest hope that the international community will give all necessary support to make the measures I have outlined fully effective. I believe that for the international community to accept its share of responsibility for the refugees of Palestine is one of the minimum conditions for the success of its efforts to bring peace to that land.

Position on Withdrawing Occupying Forces From Korea

[Released to the press September 20, 1949]

It has been the consistent view of this Government that the best interests of the Korean people would be served by the withdrawal of all occupying forces from Korea at the earliest practicable date. This same view was embodied in the United Nations General Assembly resolution of November 14, 1947, in which provision was made for such withdrawal as soon as practicable after the establishment of the Korean Government which it was the intention of that resolution to bring into being. Had the Soviet Union cooperated in carrying out the provisions of the resolution of November 14, 1947, the question of troop withdrawal from Korea would doubtless have been already resolved.

The United States Government regards the question of the withdrawal of occupying forces as but one facet of the entire question of the unity and independence of Korea. The General Assembly of the United Nations has taken cognizance of this larger question, as evidenced by the resolution referred to above, and may be expected to give further consideration to the matter at its forthcoming meeting.

The United States in the United Nations

THIRD REGULAR SESSION OF THE GENERAL ASSEMBLY

The Third Regular Session of the General Assembly opened in Paris at the Palais de Chaillot on September 21. At its first plenary session the Assembly elected Dr. Herbert V. Evatt (Australia) as its President and Paul-Henri Spaak (Belgium) as Chairman of the Political and Security Committee (Committee I).

Secretary Marshall's Address

In his address before the General Assembly on September 23, Secretary of State George C. Marshall, Chairman of the U.S. Delegation, stated that the United States does not want to increase existing tension in the United Nations but "we will not compromise essential principles" and "we will under no circumstances barter away the rights and freedoms of other peoples. We earnestly hope that all Members will find ways of contributing to the lessening of tensions and the promotion of peace with justice." The Secretary warned that those nations who are creating a deep rift between our countries and the rest of the world community must not be permitted to widen that rift any further.

Agenda

General debate got under way at the second meeting of the Assembly on September 23, when 10 agenda items were allocated among the appropriate committees. New items approved for the agenda included the question of extending the U.N. Appeal for Children through next year; future of former Italian colonies; Mediator's report on Palestine; creation of U.N. Guard force; and reparation for those injured in U.N. service. Andrei Vyshinsky (U.S.S.R.) on September 25 introduced a resolution calling upon the major powers to reduce all their armaments by one third within a year. The resolution would have the Assembly recommend that an international control body be established by the Security Council, where the veto prevails, "for the supervision and control over implementation of measures for reduction of armaments and armed forces and for prohibition of atomic weapons."

A member of the U.S. Delegation pointed out that the United States welcomes the emphasis that the Soviet Union places upon the importance of the regulation and reduction of armaments. The development of a necessary basis for a system for control of atomic energy is the crucial aspect of the problem of armaments regulation. The Soviet Union in former discussions in the Atomic Energy Commission had rejected such a plan. The U.S. spokesman continued that the position of the United States on this question has been repeatedly stated and has been recently confirmed by a vote of the United States Senate.

On September 28 the General Assembly agreed

October 3, 1948

to add to its agenda the Soviet proposal, and the item was referred to Committee I.

The United States on September 29 charged the Soviet Union with action in the Berlin situation constituting a threat to the peace under the meaning of the U.N. Charter, and it requested the Security Council to consider the case as soon as possible. Ambassador Austin signed the U.S. request and sent it to the Secretary-General at the same time that identical notifications from Great Britain and France were delivered. In this request the three Governments draw attention to "the serious situation which has arisen as the result of the unilateral imposition by the Government of the Union of Soviet Socialist Republics of restrictions on transport and communications between the Western zones of occupation in Germany and Berlin."

On September 30, Ambassador Austin told Committee I that only international control of atomic energy could assure long-time security. Mr. Austin renewed the U.S. offer to share its atomic knowledge with the world under an international control system which would provide safeguards against "destructive rivalry in atomic weapons." The vast U.S. atomic-development plant, Mr. Austin said, would be placed under an international agency after that agency is deemed to be in effective operation. This procedure, according to the U.N. Atomic Energy Commission, is vital to assure against what would amount to unilateral disarmament by the United States under a proposal such as that of the Soviet Union whereby discussion of control plans must await prohibition and destruction of existing atomic weapons. Mr. Austin recalled that the Soviet proposal was studied at length by the Commission whose majority "reached conclusions which are briefly described by these words from the Commission reports: 'completely unrealistic', 'feeble', and 'fundamentally inadequate'."

The Soviet proposal, Mr. Austin explained, "would allow any nation to carry on scientific research regardless of dangerous materials or facilities involved. The U.N. Commission in its third report declares that in the Soviet proposal 'there appears to be no limit to the clandestine activities that may take place in laboratories ostensibly devoted to peaceful work.'"

"Should a violation of security be discovered the international agency must be empowered to prevent its fruition and correct the damage done to the cause of peace. The Commission provided for this by holding that judicial or other processes for the determination of violations and punishments must be certain and swift. And there must, the Commission said, be no legal right by veto or otherwise whereby a wilful violator could thwart punishment and evade the consequences of violation."

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

*Calendar of Meetings*¹

Adjourned during September

Council of Foreign Ministers: Deputies for Italian Colonial Problems	London	Oct. 3, 1947-Sept. 1, 1948
1948		
18th International Geological Congress	London	Aug. 25-Sept. 1
Ito (International Trade Organization): Meeting of Interim Commission.	Geneva	Aug. 25-Sept. 15
United Nations: Economic and Social Council, Subcommission on Statistical Sampling.	Geneva	Aug. 30-
ITU (International Telecommunication Union): Meeting of Administrative Council.	Geneva	Sept. 1-
UNESCO (United Nations Educational, Scientific and Cultural Organization): Expert Conference for High Altitude Stations.	Interlaken, Switzerland	Sept. 1-4
Sixth International Congress and Exposition of Photogrammetry	The Hague	Sept. 1-10
XXXVII General Assembly of the Interparliamentary Union	Rome	Sept. 6-14
Royal Netherlands Industries Fair	Utrecht	Sept. 7-16
Inter-American Conference on the Conservation of Renewable Natural Resources.	Denver	Sept. 7-20
IRO (International Refugee Organization): Seventh Part of First Session of Preparatory Commission.	Geneva	Sept. 10-
Council of Foreign Ministers: Discussions on the Disposition of Italian Pre-war Colonies.	Paris	Sept. 13-15
Fifth International Conference of Directors of Mine Safety Research Stations.	Pittsburgh	Sept. 20-24
ILO (International Labor Organization): Joint Maritime Commission.	Geneva	Sept. 20-25

In Session as of October 1, 1948

Far Eastern Commission	Washington	Feb. 26-
United Nations:		
Security Council	Lake Success	Mar. 25-
Military Staff Committee	Lake Success	Mar. 25-
1947		
Security Council's Committee of Good Offices on the Indonesian Question.	Lake Success	Oct. 20-
General Assembly Special Committee on the Balkans	Salonika and Geneva	Nov. 21-
1948		
Temporary Commission on Korea	Seoul	Jan. 12-
Security Council's Kashmir Commission	Geneva and Kashmir	June 15-
General Assembly: Third Session	Paris	Sept. 21-
1946		
German External Property Negotiations with Portugal (Safehaven)	Lisbon	Sept. 3-
1948		
ITU (International Telecommunication Union):		
Provisional Frequency Board	Geneva	Jan. 15-
Planning Committee for High Frequency Broadcasting Conference	Mexico City	Sept. 13-
International Bank for Reconstruction and Development: Third Annual Meeting of the Board of Governors.	Washington	Sept. 27-
International Monetary Fund: Third Annual Meeting of the Board of Governors.	Washington	Sept. 27-
ILO (International Labor Organization): Technical Tripartite Conference on Safety in Factories.	Geneva	Sept. 27-
WHO (World Health Organization): Expert Committee on Tuberculosis.	Paris	Sept. 30-
Conference for the Establishment of the International Union for the Protection of Nature.	Fontainebleau	Sept. 30-

Scheduled October 1-31, 1948

Pan American Sanitary Organization:		
Meeting of Executive Committee	Mexico City	Oct. 2-3
Second Meeting of Directing Council	Mexico City	Oct. 4-16
Second Meeting of Wool Study Group	London	Oct. 4-6

¹ Prepared in the Division of International Conferences, Department of State.

Calendar of Meetings—Continued

International Council for the Exploration of the Sea	Copenhagen	Oct. 4-11
Second Inter-American Conference on Indian Life	Cuzco, Peru	Oct. 10-20
Universal Postal Union: Meeting of the Provisional Executive and Liaison Committee.	Bern	Oct. 11-
Fourth General Conference on Weights and Measures	Paris and Sèvres	Oct. 12-21
Bolivian International Fair	La Paz	Oct. 20-
Fourth Pan American Consultation on Cartography	Buenos Aires	Oct. 15-
World Health Organization):		
Expert Committee on Venereal Disease	Paris	Oct. 15-19
Second Session of Executive Board	Geneva	Oct. 25-
Fourth Inter-American Congress of Surgery	La Paz	Oct. 17-21
International Telecommunication Union): International Conference on High Frequency Broadcasting.	Mexico City	Oct. 22-
Second Meeting of South Pacific Commission	Sydney	Oct. 25-
International Tin Study Group: Third Meeting	The Hague	Oct. 25-
World Labor Organization): Industrial Committee on Textiles: Second Session.	Cairo	Oct. 26-

S. Delegations to International Meetings

Protection of Nature

The Department of State announced September 24 that Ira Noel Gabrielson, President, Wildlife Management Institute, Washington, has been designated Chairman of the United States Delegation to the Conference for the Establishment of the International Union for the Protection of Nature, scheduled to be held at Fontainebleau, France, September 30-October 7, 1948. Harold Jefferson Bolidge, Executive Secretary, Pacific Science Board, National Research Council, has been appointed to serve as delegate.

This Conference has been called by the French Government in conjunction with the United Nations Educational, Scientific and Cultural Organization to adopt a final constitution for the International Union for the Protection of Nature which was created provisionally by an international conference convened by the Swiss League for the Protection of Nature at Brunnen, Switzerland, in 1937.

Wool

The Department of State announced on September 24 that the United States Delegation to the Second Meeting of the International Wool Study Group, scheduled to be held at London, England, October 4-6, 1948. The Delegation is as follows:

Chairman

Wald D. Kennedy, Chief, International Resources Division, Department of State

Members

Walter Lutz, Office of International Trade, Department of Commerce

W. E. Davis, Office of Foreign Agricultural Relations, Department of Agriculture

W. O. Nyhus, Agricultural Attaché, American Embassy, London

October 3, 1948

The purpose of the meeting is to exchange information and views regarding the present general wool situation, to consider any specific problems that may have arisen since the last meeting held at London in March and April, 1947, and to discuss improvements in the organization and activities of the Study Group.

The establishment of the Wool Study Group was proposed at the International Wool Talks at London in 1946 when representatives from 13 countries substantially interested in the production, consumption, and trade of wool reviewed the world situation of apparel wool. The desirability of keeping the world position of wool under inter-governmental review was unanimously agreed upon at that meeting.

Cartography

The Department of State announced on September 22 that the United States Delegation to the Fourth Pan American Consultation on Cartography, scheduled to be held at Buenos Aires, Argentina, October 15-November 14, 1948. The Delegation is as follows:

Chairman

Robert H. Randall, Bureau of the Budget, Executive Office of the President; U.S. Member and Chairman, Commission on Cartography, Pan American Institute of Geography and History

Delegates

Lt. Col. Albert G. Foote, Commanding Officer, Aeronautical Chart Service, Department of the Air Force

Capt. Clement L. Garner (Retired), Former Chief, Division of Geodesy, U.S. Coast and Geodetic Survey, Department of Commerce

Charles B. Hitchcock, Assistant Director, American Geographical Society

Capt. Allen Hobbs, Hydrographer of the Navy, Department of the Navy

ACTIVITIES AND DEVELOPMENTS

Col. John G. Ladd, Office of Chief of Engineers, Department of the Army

Col. Freemont S. Tandy, Chief, Inter-American Geodetic Survey, Caribbean Defense Command, C.Z.

Marshall S. Wright, Technical Assistant to the Chief, Office of Plans and Operations, Department of Agriculture

Advisers

Capt. K. T. Adams, Chief, Division of Photogrammetry, U.S. Coast and Geodetic Survey, Department of Commerce

Brig. Gen. Paul T. Cullen, Commanding General, 311th Air Division Reconnaissance, Topeka Air Force Base, Topeka, Kans.

Harry T. Kelsh, Head, Methods and Standards Unit, Geological Survey, Department of the Interior

Guillermo Medina, Chief Engineer, Hydrographic Office, Department of the Navy

Col. William H. Mills, Commanding Officer, Army Map Service, Department of the Army

Comdr. Elliott B. Roberts, Chief, Division of Geomagnetism and Seismology, U.S. Coast and Geodetic Survey, Department of Commerce

Adviser and Secretary

Andre C. Simonpietri, Special Adviser, Department of State

The Fourth Pan American Consultation on Cartography will be a meeting of the Commission on Cartography, one of several technical commissions of the Pan American Institute of Geography and History. The Cartography Commission, established by the Institute's Assembly held at Lima, Peru, in 1941 to further the surveying and mapping activities of the member governments of the Institute, provides the medium for the interchange of knowledge and techniques among the officials of

the American governments working in these fields.

At the Fourth Consultation on Cartography new developments and techniques in the field will be considered and the establishment of uniform standards of accuracy will be furthered. The meeting will be divided into the following committees: geodesy, including gravity and geomagnetism; topographic maps and aerial photogrammetry; aeronautical charts; hydrography including tides and special maps; and urban surveys.

In addition to the committee sessions there will be an exhibit of instruments and equipment used in the production of all types of cartographic documents. This will be the first time that an exhibit of this nature has been held in connection with the Consultation. United States manufacturers of cartographic instruments have been invited by the Argentine Government to participate in the display. There will also be the regular exhibit of map products by member governments which is always a part of the Consultation.

The Third Pan American Consultation on Cartography was held concurrently with the Fourth General Assembly of the Pan American Institute of Geography and History at Caracas, Venezuela, August-September 1946. Invitation to participate in the forthcoming Consultation have been extended by the Argentine Government to all the American republics and Canada, to the members of the Commission on Cartography, and to interested international organizations.

Executive Committee Achievements of ITO Interim Commission

[Released to the press September 20]

The Department of State announced on September 20 that a number of organizational and procedural agreements were reached at the recent second session of the Executive Committee of the Interim Commission of the International Trade Organization, held at Geneva.

The agenda of the second session consisted of a number of procedural and organizational matters. Several recommendations were considered and agreed upon by the Committee with respect to such items as the relationship of the ITO, when established, to other international organizations and bodies, such as the International Court of Justice, the International Monetary Fund, and the Food and Agriculture Organization; the expenses incurred during preparatory meetings which drafted the Havana ITO charter; and the preparation of an authentic Spanish text of the Havana charter for submission to those Spanish-speaking governments which are members of the Interim Commission.

The Commission was decided upon last winter when the charter for an International Trade Or-

ganization, known as the Havana charter, was drawn up at Havana by a conference at which some 57 countries participated and which lasted four and a half months. It was realized at Havana that it might take a considerable length of time for the charter to be ratified by the required number of governments. Therefore the Havana conference, by resolution, established an Interim Commission to deal with certain administrative and procedural matters which should be provided for before the Trade Organization itself would be established. The 53 member countries of the Interim Commission selected 18 of the members as an Executive Committee to perform these tasks. The use of the Interim Commission technique has also been adopted by the other specialized agencies set up by the United Nations, such as the health and refugee organizations.

The 18 countries selected are Australia, the Benelux countries (acting as a unit), Brazil, Canada, China, Colombia, Czechoslovakia, Egypt, El Salvador, France, Greece, India, Italy, Mexico, Norway, the Philippines, the United Kingdom, and the United States. This Executive Committee

ee held its first, purely organizational meeting in Havana directly after the Havana conference and elected Dana Wilgress, Canadian Minister in Bern, as Chairman. The second meeting of the Committee began in Geneva on August 25 and

ended on September 15. All the 18 member countries were represented. The United States Delegation was headed by Leroy D. Stinebower, Special Assistant to the Assistant Secretary of State for economic affairs.

Plans To Increase Value of General Agreement on Tariffs and Trade

[Released to the press September 22]

The second session of the contracting parties to the General Agreement on Tariffs and Trade, which opened in Geneva on August 16, completed its work on September 14. It has laid plans designed to increase further the value of the agreement to the countries already parties, including the United States, and to enable more countries to become parties.

Under the general agreement itself, negotiated in 1947 by the United States and 22 other countries, each country agrees to certain general rules for the conduct of its international trade and grants to all the others a schedule of specific concessions in its tariff treatment of imports, including reductions in tariffs, bindings of moderate rates or of free treatment, reductions or eliminations of preferences, and the like. These concessions cover about one half of total world trade.

Accession of New Countries

The major accomplishment of the meeting just ended is adoption of procedures for bringing additional countries into the agreement as rapidly as possible through tariff negotiations with them. In inquiry by the contracting parties it was found that several countries not yet parties are definitely interested in early accession. A timetable was accordingly adopted for negotiations with them. Requests for concessions are to be exchanged between the present parties and the new countries and also among the new countries by January 15, 1949. Definitive negotiations are scheduled to open at Geneva on April 11, 1949. The new countries which will negotiate are Denmark, the Dominican Republic, El Salvador, Finland, Greece, Haiti, Italy, Nicaragua, Peru, Sweden, and Uruguay.

So far as the United States is concerned, negotiations will be conducted under the usual trade-agreement procedure as recently amended by the Trade Agreements Extension Act of 1948. The customary notice of intention to negotiate, accompanied by announcement of products to be considered for possible concession by this country, will be made as soon as the necessary preparatory work is completed by the interdepartmental trade-agreements organization.

Other Tariff Negotiations

Except in certain special cases there will be no reopening of negotiations among the countries which are already parties to the agreement. Brazil, however, was granted temporary permission to establish rates on three items which are higher than otherwise permitted under the general agreement, in consideration of the fact that the Brazilian Congress has applied rates on a number of other items which are lower than the maximum permitted by the agreement. Within 60 days the interested countries are to negotiate a definitive adjustment of the concessions involved. Ceylon and Pakistan were also authorized to renegotiate certain concessions which each had granted to other countries. Cuba was granted permission to renegotiate with the United States the rates of duty on six items which Cuba is finding it difficult to apply as originally negotiated, the understanding being that the United States is to receive full compensation for any modifications agreed to. These adjustments are to be worked out bilaterally subject to final action at the time of the negotiations next spring. Any other negotiations among countries already parties to the agreement are likely to be in the nature of completion of work which it was not possible to finish at the 1947 conference, none of it involving the United States.

Most-Favored-Nation Treatment for Western Germany

One of the most important achievements of the conference was agreement by a substantial number of countries to extend to Western Germany most-favored-nation treatment with respect to merchandise trade on a reciprocal basis. This undertaking is incorporated in a separate document, not a part of the General Agreement on Tariffs and Trade, and was opened for signature on September 14. So far nine countries have signed, and it is expected that most of the remaining countries represented at the meeting will sign in the near future.

Modification of General Agreement

Some changes were also made in the agreement which, it was felt by the contracting parties, were an improvement over the original text. These changes were based largely on work done at the Havana trade conference subsequent to the conclusion of the general agreement.

ACTIVITIES AND DEVELOPMENTS

In addition, Chile was accorded an extension of time, to February 17, 1949, in which to become a contracting party to the agreement, even though after negotiating concessions at Geneva Chile did not put the agreement provisionally into effect by June 30, 1948, the time originally set.

Arrangements were made under which the United States will be free to accord preferences to imports from the Trust Territory of the Pacific Islands. Though technically this constitutes establishment of a new preference, it will permit the working out of a trading arrangement which will promote the advancement of the peoples of the Trust Territory consistent with United States obligations under this country's trusteeship agreement with the Security Council of the United Nations.

Cuban-American Trade

During the session just ended, the United States submitted to the contracting parties under article XXIII of the general agreement a problem arising out of an import licensing system applied by Cuba with respect to a wide range of products, including raw cotton and cotton, rayon and wool fabrics, and wearing apparel. Cuba's action had the effect of preventing the importation of these products from the United States and other countries, thus nullifying in considerable part the benefits granted by Cuba in the general agreement. The contracting parties recommended that Cuba promptly take steps to relieve the immediate difficulties and to consult with representatives of the United States Government at Habana with a view to finding a mutually satisfactory solution of the problems that have arisen in connection with the Cuban import controls under Cuban Resolution 530. On September 14 the Cuban Government issued a resolution removing restrictions on the importation of all products except piece-goods remnants and waste other than industrial. The restrictions on the importation of these products will be discussed by the Cuban Government and the United States Embassy at Habana.

Discussions on Convention for Foreign Motor Travel

[Released to the press September 20]

To prepare for a new international convention designed to permit motorists to drive their cars in foreign countries, the Department of State is holding informal discussions with interested groups.

The American Association of Motor Vehicle Administrators, composed of State officials responsible for issuing drivers' licenses and registration plates, endorsed the Department's plans at their annual meeting in Detroit September 10. On September 21 a meeting of private agencies, including motoring associations, bus and truck associations, and other highway-user groups, was held

in Washington to discuss the matter. In October representatives of all Federal Government agencies interested in highway and touring problems will meet in Washington for the same purpose. Out of these informal discussions is expected to develop a list of the main points which the United States will desire to have included in the proposed world-wide convention in order to make possible the adherence of this Government, for the benefit of American motorists.

Final action on the convention will be taken under the auspices of the United Nations, whose Economic and Social Council recently authorized the holding of an international conference for this purpose before the end of August 1949.

South Pacific Commission Meeting

The Department of State announced on September 15 that the three United States Commissioners in the South Pacific Commission had arrived in Washington for a three-day period of consultation.

Those attending the series of meetings are:

Senior Commissioner: Felix M. Kessing, Professor of Anthropology at Stanford University

Commissioner: Milton Shalleck, lawyer of New York City.

Alternate Commissioner: Karl C. Leebrick, Acting President of the University of Hawaii.

This will be the first meeting at Washington of the United States Commissioners, who were appointed by the President on April 28, 1948. It has been arranged in order that the Commissioners may confer with officers of this Government on matters relating to the South Pacific Commission. Among problems which the Commissioners will discuss are items on the agenda of the Second Session of the Commission to be convened at Sydney, Australia, on October 25.

The South Pacific Commission was established in May 1948 as a regional advisory and consultative body on social and economic matters to the Governments of Australia, France, the Netherlands, New Zealand, the United Kingdom, and the United States. The territorial scope of the Commission comprises all those non-self-governing territories in the Pacific Ocean which are administered by these participating Governments and which lie wholly or in part south of the Equator and east from and including Netherlands New Guinea.

The Commission will be concerned primarily with subjects which are of every-day concern in the lives of the people, particularly agriculture (including animal husbandry), communication, transport, fisheries, forestry, industry, labor, marketing, production, trade and finance, public works, education, health, housing, and social welfare.

Department of State Bulletin

THE RECORD OF THE WEEK

Bulgaria's Disregard for Obligations Under Peace Treaty and U. N. Charter

[Released to the press September 24]

Text of an aide-memoire delivered September 23, 1948, to Bulgarian Foreign Minister Kolarov by American Minister in Sofia, Donald R. Heath

The United States Government has noted that the Minister for Foreign Affairs, in a speech in Sobranje on September 4, is reported to have stated that Bulgaria has been scrupulous in fulfilling its obligations under the Peace Treaty, and have attributed to the United States the rejection of Bulgaria's application for membership in the United Nations.

The Minister for Foreign Affairs is quoted as saying that "during the past year Bulgaria carried out and continues to carry out all she contracted under the Peace Treaty". On the contrary, at the very moment it signed the Treaty the Bulgarian Government has prosecuted a systematic and ruthless campaign to obliterate democratic opposition, in direct disregard of the fundamental principles of freedom which it undertook Article 2 to secure. Through abuse of the instrumentalities of police power and subversion of judicial process, the Bulgarian Government has rejected substantial numbers of the Bulgarian people whose only crime was a belief in the rights of man, to involuntary servitude, banishment, concentration camps, imprisonment, torture and execution. It has obliterated the opposition press and by means of terror stifled free expression. On the day after it ratified the Peace Treaty the National Assembly adopted legislation declaring an attempt to reestablish under any form a political party which in the last elections, despite fraud and intimidation, was admitted by the Bulgarian Government to have polled over one-fourth the total vote, to be a crime punishable by life imprisonment or death. The United States Government and the world was shocked when, one week after the Treaty came into effect, the Bulgarian

Government performed the judicial murder of Nikola Petkov.

As regards the reported claim of the Minister for Foreign Affairs that Bulgaria is abiding by the provisions of the military clauses of the Treaty, the United States Government refers to its requests to observe the execution of the military provisions of the Treaty, such as Article 12, and to obtain officially information concerning the size of Bulgaria's military establishment, which have been rejected.

The United States Government would be happy to welcome Bulgaria into the United Nations. However, the Bulgarian Government has not shown itself qualified for membership in that organization under the provisions of the Charter. Aside from non-fulfillment of its international obligations under the Peace Treaty as noted above, a majority of the Security Council Balkan Commission of the United Nations in which Bulgaria seeks membership determined that the Bulgarian Government has supported on its territory guerrilla activity directed against Greece, a member of the United Nations, of which further confirmation, tantamount to an admission of guilt, is apparent in the effort Bulgaria has made to obstruct the work of that Commission and of the subsequent Special Balkan Committee of the General Assembly. In its Supplementary Report of September 10, 1948 to its Annual Report to the General Assembly, the Special Balkan Committee, in confirming its finding that such Bulgarian support is continuing, has declared that the conduct of Bulgaria "has been inconsistent with the purposes and principles of the Charter of the United Nations". In the circumstances, Bulgaria's application has failed of support not only of the United States but also of the overwhelming majority of other members of the Security Council.

THE AMERICAN LEGATION,
Sofia, September 23, 1948.

Efforts To Assist Near Eastern Refugees

STATEMENT BY ACTING SECRETARY LOVETT

[Released to the press September 22]

It will be recalled that the late Count Bernadotte, United Nations mediator for Palestine, recently directed an appeal to the United States for aid to Near Eastern refugees. In response to the critical nature of this emergency, the Department's Advisory Committee on Voluntary Foreign Aid is

mobilizing American voluntary resources, and substantial assistance has already been rendered by church and lay groups. In order to expedite delivery in the Near East of urgently needed supplies, the Department has authorized the American Mission for Aid to Greece to release certain foodstuffs and DDT, which will be replenished through

THE RECORD OF THE WEEK

monetary contributions from American voluntary sources.

In Count Bernadotte's last report to the United Nations he laid particular emphasis on the fact

that aid provided to date is inadequate to meet any continuing need. It is hoped that the American people will respond with generosity and sympathy to this urgent need.

PLANNING COMMITTEE APPOINTED

William L. Batt, Acting Chairman of the Advisory Committee, has appointed a planning committee composed of representatives of church, educational, industrial, and lay interests under the chairmanship of A. L. Warnshuis, in collaboration with the American Red Cross. The planning committee, which reports to all interested organizations and groups, is serving as a focal point for American relief activities. It is now engaged in the procurement of food supplies and is collaborating with the Christian Rural Overseas Program in obtaining wheat. It is also stimulating collections of clothing and blankets through the church organizations. The Near East Foundation is providing the planning committee with facilities for its operations and is serving as a repository for contributions. To insure its most effective use, American aid will be coordinated with the efforts of Sir Rafael Cilento, the mediator's Director of Relief Operations.

In response to the appeal for voluntary support a number of gifts in the form of monetary con-

tributions, supplies, and services are being made available from church and industrial sources. Additional assistance is being rendered. The American Red Cross is providing the services of expert personnel to assist in refugee activities and has donated two ambulances to the Syrian Red Crescent. It has also made available medical supplies valued at \$50,000 in addition to its earlier contributions estimated at \$450,000.

These efforts to alleviate the critical situation of the Near Eastern refugees are being pursued with the unqualified support of the Department of State. The major portion of these refugees, of whom 75 percent are women and children, are now destitute. Thousands are without funds, shelter, or adequate supplies of food, water, and clothing. Medical and sanitary facilities are too limited to meet the needs of the present situation. The Department is hopeful that this great humanitarian problem will meet with the sympathetic response of the American people.

Incident Involving Seating of Ethiopian Minister at Science Meeting

EXCHANGE OF MEMORANDA BETWEEN DEPARTMENT OF STATE AND THE IMPERIAL ETHIOPIAN LEGATION

[Released to the press September 23]

IMPERIAL ETHIOPIAN LEGATION
Washington, D.C.

September 20, 1948

The Imperial Ethiopian Legation acknowledges the receipt of the memorandum from the Department of State dated September 17th, expressing regret for the incident involving His Excellency Ras Imru, Minister of Ethiopia, on September 13, 1948.

The Legation, while very much appreciative for the endeavor of the Department to investigate into the circumstances of the case with a view toward taking appropriate action, regrets to state that the information given to the Department of State by the Organizations and individuals mentioned in the memorandum, alleging that the Minister was seated first in the box by mistake and was subsequently requested to move to the orchestra, which was assigned to him is incorrect. The explanation in the memorandum of the Department, therefore, which was based on such information and tending to justify the indignity and injury suffered by the Minister, is unacceptable to the Legation.

The Minister had in his hands tickets bearing Box Nos. E-2, 4, 6, and 8, issued to him and the other members of the Legation by the American Association for the Advancement of Science, of which corresponding numbers were clearly shown on the Boxes. His Excellency went direct to the Boxes marked with the same numbers of the tickets in his hand and presented his tickets to an usher who was standing by and who checked the corresponding numbers of the tickets and the boxes and invited the Minister to choose one of the four seats mentioned hereinabove. His Excellency took Box No. 8, and it was from that same Box that he was told to leave.

For the verification of the fact stated above, and to enable the Department in its investigation of the case toward taking appropriate action as demanded in the previous note of this Legation, herewith is enclosed one of the tickets which the American Association for the Advancement of Science issued to His Excellency and members of his Legation for attending the ceremony on 13th September and which the Minister had in his hand on that date when the incident occurred.

The Department of State acknowledges the receipt of the note from the Imperial Ethiopian Legation, dated September 20, 1948, making further reference to the incident involving the Honorable Ras Imru, Minister of Ethiopia, at Constitution Hall on September 13, 1948.¹

The Department, while reiterating its regret for the embarrassment caused the Minister, wishes to inform the Imperial Ethiopian Legation that its further investigations into the case, based on the information contained in the Legation's note under reference, confirm that the incident was solely the result of a series of misunderstandings.

The Department has examined the ticket enclosed with the Legation's note and finds that it bears the following inscription, the first two lines of which are printed and the third line typewritten:

GUEST ADMISSION
Box No.

Reserved Seats E-2, 4, 6, 8.

It is apparent that the American Association for the Advancement of Science used a form guest ticket for the meeting on September 13. In the case of those Chiefs of Mission who were assigned box seats, the box number was inserted in the proper place by the Association. In the case, however, of those Chiefs of Mission who were assigned orchestra seats, the location of the reserved seats was typed in below the box reference. Owing to the Association's failure to delete the reference to the box, it is quite understandable that the Minister concluded that the seats reserved to him were in a box rather than on the floor of the auditorium. Furthermore, this impression was apparently confirmed when the usher, after examining the ticket, unfortunately made the mistake of directing the Minister to a box seat instead of to the orchestra seat assigned to him.

The Department's examination of the seating arrangement employed by the Association confirms the explanation. The boxes at Constitution Hall are numbered and bear no letter designation. Seats 2, 4, 6, 8, identify seat locations in the orchestra, rather than box locations.

The Department hopes that the foregoing satisfactorily explains the cause of the embarrassment which the Minister was so regrettably subjected.

DEPARTMENT OF STATE,
Washington, September 22, 1948

BULLETIN of Sept. 26, 1948, p. 413.
BULLETIN of Aug. 15, 1948, p. 211.

Radiotelegraph Service With Saudi Arabia

Telegram from Secretary Marshall to the American Minister at Jidda, J. Rives Childs

[Released to the press September 17]

September 16, 1948

Please convey to the Minister of Foreign Affairs my felicitations on the opening of direct radiotelegraph service between the United States and the Kingdom of Saudi Arabia and express to him the satisfaction this Government takes in the establishment of this channel of communications between our two countries.

In this, the first message to be sent over this circuit, I wish also to express appreciation for the assistance rendered by the Legation for the past several years in bringing this circuit into existence.

Letter of Credence

Egypt

The newly appointed Ambassador of Egypt, Mohamed Kamel Abdul Rahim Bey, presented his letters of credence to the President on September 14, 1948. For texts of the Ambassador's remarks and the President's reply, see Department of State press release 731 of September 14.

Attackers of Stephen Haas Apprehended

[Released to the press September 10]

The American Embassy in Cairo has received a note dated August 22 from the Egyptian Foreign Office in reply to the Embassy's notes of July 19 and July 24 regarding the death of Stephen Haas.² After renewing the Egyptian Government's expression of deep regret for this unfortunate occurrence, the note states that three persons believed responsible for the attack have been apprehended and charged with the crime before the appropriate court and that they will receive the punishment they merit.

Ceylon Appoints First Ambassador to U.S.

In pursuance of an agreement between the Government of the United States of America and the Government of Ceylon to exchange diplomatic representatives at the Embassy level, Felix Cole was accredited recently as Ambassador of the United States of America to Ceylon.

The Ceylon Government has now decided, in consultation with the Government of the United States, to appoint G. C. S. Corea, presently the Ceylon Government representative in London as Ceylon's first Ambassador to the United States. Mr. Corea is expected to assume the duties of his new post early in October 1948.

THE RECORD OF THE WEEK

Italy Expresses Gratitude for Economic Assistance

[Released to the press by the White House September 17]

Letter from Alcide de Gasperi, President of the Council of Ministers of Italy, to President Truman, after the signing of the economic-cooperation agreement by Italy and the United States

Rome, July 6, 1948

MY DEAR MR. PRESIDENT:

In signing the Economic Cooperation Agreement with the Government of the United States, the Italian Government and people are fully aware of the gravity and importance of their undertaking. The number and range of recent debates in political circles and in the press are an indication of how thoroughly the commitment is appreciated in this country. We are likewise aware that the decision taken by Congress is the result of much consideration and debate by the public opinion of the United States, and that genuine concern is felt for the wise administration and best employment of American aid so generously tendered for the recovery of Europe.

My Government is fully appreciative of these considerations, and it is our resolve that our obligations under the Economic Cooperation Agreement be discharged in their spirit and in full.

I wish to reassure you that I will devote my personal attention to the execution of the Agreement, and will be in close and constant touch with those of my colleagues and advisers, in and outside the Cabinet, who are in charge of the Administration of the Plan. I shall therefore be most grateful, in the event of general or particular problems arising which, in your opinion or in that of your advisers, require special consideration or re-examination, if you will cause me to be personally informed.

Four years have now elapsed since from this newly released Capital we set about the mighty task of rebuilding the country. With the unstinted help of the people of America, we then repaired the wrecked fabric of our administration. More recently we have succeeded in establishing the democratic method. Now we go forward—again with your aid—to achieve full recovery both as a Nation and as a component and complementary part of world economy.

I feel confident that the concerted effort of so many wills to work effectively, and the firm desire to collaborate in the joint interests of peace and the economic welfare of so many millions of

¹ BULLETIN of May 2, 1948, p. 584.

men cannot fail, Mr. President, to carry us through successfully to our end.

I am, my dear Mr. President,
respectfully yours,
DE GASPERI

Letter from President Truman to Premier Gasperi

September 16, 1948

DEAR MR. PRESIDENT:

Thank you for the letter you wrote to me about signing the Economic Cooperation Agreement.

Men everywhere participate in and contribute more effectively to an undertaking when the terms and purposes are clearly understood and the commitments are freely undertaken. The great amount of discussion in our respective countries and the large consensus in favor of the Agreement augurs well for its success.

The American people support this program wholeheartedly both for humanitarian and practical reasons. In a world growing smaller day by day, no nation can profit by isolating itself. Mutual dependence means that your welfare affects our welfare and vice versa. Therefore, for your sake, for your sake, and for the sake of all other like-minded countries, it is our hope that the program in Italy and elsewhere will be crowned with success.

I express my admiration for the will to work shown by the Italian people in their most difficult moments. I admire also the sense of moderation and political maturity shown by your people who have regained so recently the privileges and responsibilities inherent in a liberal democracy.

I am certain that with the broad participation in the Recovery Program of all elements of the Italian nation, with your demonstrated will to work, and with your political maturity, Italy will play a significant constructive part in the European Recovery Program.

With cordial greetings, I am
Very sincerely yours,
HARRY S. TRUMAN

No Time Limit on Filing Claims for Property Loss in Italy

[Released to the press September 15, 1948]

The attention of the Department of State has been called to statements in the press which have been interpreted by residents of the United States as indicating that claims of American citizens for compensation on account of damage to, or removal or destruction of, property in Italy during the war must be filed by September 15, 1948.¹ The Department points out that no time limit has as yet been fixed for the filing of claims of that character.

THE FOREIGN SERVICE

Facts Relating to Withdrawal of Donald F. Ewing From Legation at Sofia

[Released to the press September 5]

With reference to the report of the Bulgarian radio concerning the withdrawal from the American Legation in Sofia of Vice Consul Donald F. Ewing, the following are the facts in the matter.

On July 16, 1948, in response to their request, Vice Consul Ewing agreed to meet, outside the legation, two Bulgarian acquaintances whom he had previously known in connection with the visa work of the Legation to which he was assigned but had not seen in several months. The Bulgarian secret police arrested the two Bulgarians in Mr. Ewing's company, and on the basis of a document of which the contents are unknown allegedly found in the pocket of one of them and of alleged subsequent "confessions" on their part to the effect that they had been engaging in espionage for the United States through Ewing, the Bulgarian Government declared Ewing *persona non grata* and requested his recall.

The American Minister protested to the Bulgarian Government the arbitrary nature of that government's action on the basis of a transparently fabricated maneuver on the part of Bulgarian authorities.

Mr. Ewing has left Bulgaria.

Consular Offices at Matamoros and Agua Prieta To Remain Open

[Released to the press September 21]

The American Consulates at Matamoros and Agua Prieta, Mexico, will not be closed September 30, as previously announced. These two important Foreign Service posts on the United States-Mexican border will be kept open for at least four more months, when the question will be re-examined.

The decision to continue to maintain the posts at Matamoros and Agua Prieta was reached at a conference of Department of State and Foreign Service officials in Washington, where communications protesting the closing of the posts were considered. Among those asking that the posts be maintained were Senators Tom Connally and W. Lee O'Daniel of Texas; Senators Ernest W. McFarland and Carl Hayden of Arizona; Congressmen Milton H. West and Lyndon B. Johnson of Texas; Congressman-elect Lloyd Benson of Texas; the chambers of commerce of Brownsville, San Benito, Corpus Christi, and Weslaco, Tex., and El Paso and Douglas, Ariz.; the Brownsville Rotary

THE FOREIGN SERVICE

Club; and a considerable number of prominent citizens, including Curtis Vinson of the Brownsville *Herald*, Salvador Loya of the Brownsville Palm-Hat Factory, S. A. Albert Mendelsohn of the Cananea Consolidated Copper Company, and Frank Greene of the Greene Cananea Cattle Company.

Following the conference John E. Peurifoy, Assistant Secretary of State for administration, announced that the Mexican border posts would be kept open at least temporarily. He said:

"It is never pleasant to consider the closing of one of our posts abroad, particularly ones so long in existence and in areas so thriving as Matamoros and Agua Prieta, but it is our clear duty on the other hand constantly to review all our posts and maintain only as many as, under available appropriations, can be properly supported in the performance of their functions as required by law.

"The decision against continuing to maintain Matamoros and Agua Prieta seemed unavoidable. It was taken only after long and serious consideration, and with the greatest reluctance.

"As a result of the earnest solicitations offered by the representatives of Congress and others interested, however, we have reconsidered the matter in the hope that these posts may be maintained without break. At considerable sacrifice elsewhere we have succeeded in finding ways and means of keeping these offices open for at least the next four months. By that time we should know more about the future and it will then be appropriate to reexamine the situation."

Located across the Rio Grande River from Brownsville, Tex., Matamoros is an important center of inter-American commerce. It is joined to the United States by the connection of the National Railroad Lines of Mexico to two American railroads, by a recently completed link of the Inter-American Highway, and by airlines operating out of a nearby international airport. Through Matamoros is funneled bus, truck, and automobile traffic serving the commercial and tourist trade between two nations.

Agua Prieta, located opposite Douglas, Ariz., is in the midst of a rapidly developing minerals area and is thus the center of increasing trade between the United States and Mexico.

THE DEPARTMENT

Appointment of Officer

Arthur B. Berthold, as Chief of the Bibliography Branch, Division of Libraries and Reference Services, effective September 17, 1948.

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The Department of State

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Vol. XIX, No. 484

October 10, 1948

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The Department of State bulletin

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The Department of State BULLETIN, a weekly publication compiled and edited in the Division of Publications, Office of Public Affairs, provides the public and interested agencies of the Government with information on developments in the field of foreign relations and on the work of the Department of State and the Foreign Service. The BULLETIN includes press releases on foreign policy issued by the White House and the Department, and statements and addresses made by the President and by the Secretary of State and other officers of the Department, as well as special articles on various phases of international affairs and the functions of the Department. Information is included concerning treaties and international agreements to which the United States is or may become a party and treaties of general international interest.

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he Berlin Crisis

U.S. NOTIFIES U.N. OF SERIOUS SITUATION¹

29 September 1948

I have the honor, on behalf of the Government of the United States of America, in agreement with the Governments of the French Republic and the United Kingdom, to draw your attention to the serious situation which has arisen as the result of the unilateral imposition by the Government of the Union of Soviet Socialist Republics of restrictions on transport and communications between the Western Zones of Occupation in Germany and Berlin. Quite apart from the fact that it is in conflict with the rights of the Government of the United States of America and the Governments of France and the United Kingdom with regard to the occupation and administration of Berlin, this action by the Soviet Government is contrary to its obligations under Article 2 of the Charter of the United Nations and creates a threat to the peace within the meaning of Chapter VII of the Charter.

2. It is clear from the protracted exchange of notes and the conversations which have taken place on the initiative of the three governments between them and the Soviet Government that the three governments, conscious of their obligation under the Charter to settle their disputes by peaceful means, have made every effort to resolve their differences directly with the Soviet Government. Copies of the relevant documents are submitted separately. In particular, attention is drawn to the summary of the situation which is contained in the notes of the United States Government and the Governments of France and the United Kingdom, dated September 26/27, 1948, as follows:

"The issue between the Soviet Government and the Western Occupying Powers is, therefore, not that of technical difficulties in communications nor that of reaching agreement upon the conditions for the regulation of the currency for Berlin. The issue is that the Soviet Government has clearly shown by its actions that it is attempting by illegal and coercive measures in disregard of its obligations to secure political objectives to which it is

not entitled and which it could not achieve by peaceful means. It has resorted to blockade measures; it has threatened the Berlin population with starvation, disease and economic ruin; it has tolerated disorders and attempted to overthrow the duly elected municipal government of Berlin. The attitude and conduct of the Soviet Government reveal sharply its purpose to continue its illegal and coercive blockade and its unlawful actions designed to reduce the status of the United States, the United Kingdom and France as occupying powers in Berlin to one of complete subordination to Soviet rule, and thus to obtain absolute authority over the economic, political and social life of the people of Berlin, and to incorporate the city in the Soviet zone.

"The Soviet Government has thereby taken upon itself sole responsibility for creating a situation, in which further recourse to the means of settlement prescribed in Article 33 of the Charter of the United Nations is not, in existing circumstances, possible, and which constitutes a threat to international peace and security. In order that international peace and security may not be further endangered the Governments of the United States, the United Kingdom and France, therefore, while reserving to themselves full rights to take such measures as may be necessary to maintain in these circumstances their position in Berlin, find themselves obliged to refer the action of the Soviet Government to the Security Council of the United Nations."

3. Accordingly, the Government of the United States requests that the Security Council consider this question at the earliest opportunity.

WARREN R. AUSTIN

¹ Note addressed to Trygve Lie, Secretary-General of the United Nations. The notifications of the Governments of the French Republic, the United Kingdom, and the United States are contained in U.N. doc. S/1020, Sept. 29, 1948; the annexed documents were distributed separately. The U.S. notification was also released to the press in Washington on Sept. 29, 1948.

LIST OF RELATED DOCUMENTS

The documents being submitted to the Secretary-General of the United Nations by the Government of the United States, the Government of the French Republic and the Government of the United Kingdom are as follows:

- I A. Identic notes from the Governments of the United States and the United Kingdom addressed to the Government of the U.S.S.R., dated July 6, 1948.
- I B. Note from the Government of the French Republic addressed to the Government of the U.S.S.R., dated July 6, 1948.
- II A. Identic notes of the Government of the U.S.S.R., dated July 14, 1948, addressed to the Governments of the United States and the United Kingdom.
- II B. Note of the Government of the U.S.S.R., dated July 14, 1948, addressed to the Government of the French Republic.
- III. *Aide-memoire* delivered to Mr. Zorin on July 30, 1948, by the representatives of the Governments of the United States, the United Kingdom and the French Republic.
- IV. Oral statement to Premier Stalin made on August 3, 1948, by the United States Ambassador on behalf of the representatives of the Governments of the United States, United Kingdom and the French Republic.

- V. The directive to the four Military Governors in Berlin agreed to on August 30, 1948, by the Governments of the U.S.S.R., the United States, United Kingdom and the French Republic.
- VI. Joint report of the conversations of the four Military Governors in Berlin by the United States, United Kingdom and French Military Governors in Germany, dated September 7, 1948.
- VII. *Aide-memoire* delivered to Mr. Molotov on September 14, 1948, by the representatives of the Governments of the United States, United Kingdom and the French Republic.
- VIII. *Aide-memoire* of the Government of the U.S.S.R., delivered to the representatives of the United States, United Kingdom and the French Republic on September 18, 1948.
- IX. Identic notes from the Governments of the United States, United Kingdom and the French Republic addressed to the Government of the U.S.S.R., dated September 22, 1948.
- X. Identic notes of the Government of the U.S.S.R. dated September 25, 1948, addressed to the Governments of the United States, United Kingdom and France.
- XI. Identic notes to the Government of the U.S.S.R. from the Governments of France, the United Kingdom and the United States, dated September 26, 1948.

Position on Withdrawal of Troops From Korea

EXCHANGE OF NOTES BETWEEN U.S. AND SOVIET GOVERNMENTS

No. 155 [Translation] [Released to the press September 30]
September 18, 1948

The Minister of Foreign Affairs of the Union of Soviet Socialist Republics presents his compliments to the Embassy of the United States of America and requests the following be communicated to the Government of the United States of America.

The Supreme National Assembly of Korea on September 10, 1948 addressed itself to the Government of the Union of Soviet Socialist Republics and to the Government of the United States of America with a request for the simultaneous and immediate withdrawal of Soviet and American troops from Korea.

The Presidium of the Supreme Soviet of the Union of Soviet Socialist Republics, having considered this appeal of the Supreme National Assembly of Korea, have recognized as possible meeting the wish expressed in this appeal and have given appropriate instructions to the Council of Ministers of the Union of Soviet Socialist Republics concerning the evacuation of Soviet troops from northern Korea so that the evacuation would be concluded at the end of December, 1948.

At the same time the Presidium of the Supreme Soviet expressed the hope that the Government of the United States of America will also agree to evacuate American troops from southern Korea within this period.

The Presidium of the Supreme Soviet of the Union of Soviet Socialist Republics on September 18 informed the President of the Presidium of the Supreme National Assembly of Korea, Mr. Kim Doo Bong, of the above decision.

September 28, 1948

The Embassy of the United States of America presents its compliments to the Minister of Foreign Affairs of the Union of Soviet Socialist Republics and has the honor to acknowledge receipt of Ministry's note no. 155 of September 18, 1948, in connection with the withdrawal of occupation forces from Korea. The text of the Ministry's note was immediately communicated to the United States Government which has now instructed the Embassy to state that the United States Government has taken note of the decision of the Soviet Government to evacuate its occupation forces from Korea by the end of December, 1948.

The Embassy has been further instructed to state that the United States Government regards the question of troop withdrawal as part of the larger question of Korean unity and independence concerning which its views will be presented at the appropriate time by the United States Delegation to the General Assembly of the United Nations.

The Struggle for Human Rights

BY MRS. FRANKLIN D. ROOSEVELT ¹

U.S. Representative to the Commission on Human Rights

I have come this evening to talk with you on one of the greatest issues of our time—that is the preservation of human freedom. I have chosen to discuss it here in France, at the Sorbonne, because in this soil the roots of human freedom have long ago struck deep and here they have been richly nourished. It was here the Declaration of the Rights of Man was proclaimed, and the great slogans of the French Revolution—liberty, equality, fraternity—fired the imagination of men. I have chosen to discuss this issue in Europe because it has been the scene of the greatest historic battles between freedom and tyranny. I have chosen to discuss it in the early days of the General Assembly because the issue of human liberty is decisive for the settlement of outstanding political differences and for the future of the United Nations.

The decisive importance of this issue was fully recognized by the founders of the United Nations at San Francisco. Concern for the preservation and promotion of human rights and fundamental freedoms stands at the heart of the United Nations. Its Charter is distinguished by its preoccupation with the rights and welfare of individual men and women. The United Nations has made clear that it intends to uphold human rights and protect the dignity of the human personality. In the preamble to the Charter the keynote is set when it declares: "We the people of the United Nations determined . . . to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and . . . to promote social progress and better standards of life in larger freedom." This reflects the basic premise of the Charter that the peace and security of mankind are dependent on mutual respect for the rights and freedoms of all. One of the purposes of the United Nations is declared in article 1 to be: "to achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion."

This thought is repeated at several points and notably in articles 55 and 56 the Members pledge themselves to take joint and separate action in cooperation with the United Nations for the promotion of "universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion."

The Human Rights Commission was given as its first and most important task the preparation of an International Bill of Rights. The General Assembly which opened its third session here in Paris a few days ago will have before it the first fruit of the Commission's labors in this task, that is the International Declaration of Human Rights.

This Declaration was finally completed after much work during the last session of the Human Rights Commission in New York in the spring of 1948. The Economic and Social Council has sent it without recommendation to the General Assembly, together with other documents transmitted by the Human Rights Commission.

It was decided in our Commission that a Bill of Rights should contain two parts:

1. A Declaration which could be approved through action of the Member States of the United Nations in the General Assembly. This Declaration would have great moral force, and would say to the peoples of the world "this is what we hope human rights may mean to all people in the years to come." We have put down here the rights that we consider basic for individual human beings the world over to have. Without them, we feel that the full development of individual personality is impossible.

2. The second part of the bill, which the Human Rights Commission has not yet completed because of the lack of time, is a covenant which would be in the form of a treaty to be presented to the nations of the world. Each nation, as it is prepared to do so, would ratify this covenant and the covenant would then become binding on the nations which adhere to it. Each nation ratifying would then be obligated to change its laws wherever they did not conform to the points contained in the covenant.

This covenant, of course, would have to be a simpler document. It could not state aspirations, which we feel to be permissible in the Declaration. It could only state rights which could be assured by law and it must contain methods of imple-

¹Address delivered at the Sorbonne, Paris, Sept. 28, 1948, and released to the press on the same date.

mentation, and no state ratifying the covenant could be allowed to disregard it. The methods of implementation have not yet been agreed upon, nor have they been given adequate consideration by the Commission at any of its meetings. There certainly should be discussion on the entire question of this world Bill of Human Rights and there may be acceptance by this Assembly of the Declaration if they come to agreement on it. The acceptance of the Declaration, I think, should encourage every nation in the coming months to discuss its meaning with its people so that they will be better prepared to accept the covenant with a deeper understanding of the problems involved when that is presented, we hope, a year from now and, we hope, accepted.

The Declaration has come from the Human Rights Commission with unanimous acceptance except for four abstentions—the U.S.S.R., Yugoslavia, Ukraine, and Byelorussia. The reason for this is a fundamental difference in the conception of human rights as they exist in these states and in certain other Member States in the United Nations.

In the discussion before the Assembly, I think it should be made crystal clear what these differences are and tonight I want to spend a little time making them clear to you. It seems to me there is a valid reason for taking the time today to think carefully and clearly on the subject of human rights, because in the acceptance and observance of these rights lies the root, I believe, of our chance for peace in the future, and for the strengthening of the United Nations organization to the point where it can maintain peace in the future.

We must not be confused about what freedom is. Basic human rights are simple and easily understood: freedom of speech and a free press; freedom of religion and worship; freedom of assembly and the right of petition; the right of men to be secure in their homes and free from unreasonable search and seizure and from arbitrary arrest and punishment.

We must not be deluded by the efforts of the forces of reaction to prostitute the great words of our free tradition and thereby to confuse the struggle. Democracy, freedom, human rights have come to have a definite meaning to the people of the world which we must not allow any nation to so change that they are made synonymous with suppression and dictatorship.

There are basic differences that show up even in the use of words between a democratic and a totalitarian country. For instance "democracy" means one thing to the U.S.S.R. and another to the U.S.A. and, I know, in France. I have served since the first meeting of the nuclear commission on the Human Rights Commission, and I think this point stands out clearly.

The U.S.S.R. Representatives assert that they already have achieved many things which we, in

what they call the "bourgeois democracies" can achieve because their government controls the accomplishment of these things. Our government seems powerless to them because, in the last analysis, it is controlled by the people. They would not put it that way—they would say that the people in the U.S.S.R. control their government by allowing their government to have certain absolute rights. We, on the other hand, feel that certain rights can never be granted to the government but must be kept in the hands of the people.

For instance, the U.S.S.R. will assert that the press is free because the state makes it free by providing the machinery, the paper, and even money for salaries for the people who work on paper. They state that there is no control of what is printed in the various papers that the state subsidize in this manner, such, for instance, the trade-union paper. But what would happen if the paper were to print ideas which were critical of the basic policies and beliefs of the Communist government? I am sure some good reason would be found for abolishing the paper.

It is true that there have been many cases where newspapers in the U.S.S.R. have criticized officials and their actions and have been responsible for the removal of those officials, but in doing so they do not criticize anything which was fundamental to Communist beliefs. They simply criticized methods of doing things, so one must differentiate between things which are permissible, such as criticism of any individual or of the manner of doing things, and the criticism of a belief which would be considered vital to the acceptance of Communism.

What are the differences, for instance, between trade-unions in the totalitarian states and in the democracies? In the totalitarian state a trade union is an instrument used by the government to enforce duties, not to assert rights. Propaganda material which the government desires workers to have is furnished to the trade-unions to be circulated to their members.

Our trade-unions, on the other hand, are so organized that they are the instrument of the workers themselves. They represent the workers in their relations with the government and with management and they are free to develop their own opinions without government help or interference. The concepts of trade-unions and those in totalitarian countries are drastically different. There is little mutual understanding.

I think the best example one can give of the basic difference of the use of terms is "the right to work". The Soviet Union insists that this is a basic right which it alone can guarantee because it alone provides full employment by the government. But the right to work in the Soviet Union means the assignment of workers to do what task is given to them by the government with

an opportunity for the people to participate in the decision that the government should do this. A society in which everyone works is not necessarily a free society and may indeed be a slave society; on the other hand, a society in which there is widespread economic insecurity can turn freedom into barren and vapid right for millions of people. We in the United States have come to realize it means freedom to choose one's job, to work or not to work as one desires. We, in the United States, have come to realize, however, that people have a right to demand that their government will not allow them to starve because as individuals they cannot find work of the kind they are accustomed to doing and this is a decision brought about by public opinion which came as a result of the great depression in which many people were out of work, but we would not consider in the United States that we had gained any freedom if we were compelled to follow a dictatorial assignment to work here and when we were told. The right of choice would seem to us an important, fundamental freedom.

I have great sympathy with the Russian people. They love their country and have always defended it valiantly against invaders. They have been through a period of revolution, as a result of which they were for a time cut off from outside contact. They have not lost their resulting suspicion of other countries and the great difficulty is today that their government encourages this suspicion and seems to believe that force alone will bring them respect.

We, in the democracies, believe in a kind of international respect and action which is reciprocal. We do not think others should treat us differently from the way they wish to be treated. It is interference in other countries that especially sets up antagonism against the Soviet Government. If it wishes to feel secure in developing its economic and political theories within its territory, then it should grant to others that same security. We believe in the freedom of people to make their own mistakes. We do not interfere with them and they should not interfere with others.

The basic problem confronting the world today, I said in the beginning, is the preservation of human freedom for the individual and consequently for the society of which he is a part. We are fighting this battle again today as it was fought at the time of the French Revolution and at the time of the American Revolution. The issue of human liberty is as decisive now as it was then. I want to give you my conception of what is meant by my country by freedom of the individual.

Long ago in London during a discussion with Mr. Vyshinsky, he told me there was no such thing as freedom for the individual in the world. All freedom of the individual was conditioned by the

rights of other individuals. That, of course, I granted. I said: "We approach the question from a different point of view; we here in the United Nations are trying to develop ideals which will be broader in outlook, which will consider first the rights of man, which will consider what makes man more free: not governments, but man."

The totalitarian state typically places the will of the people second to decrees promulgated by a few men at the top.

Naturally there must always be consideration of the rights of others; but in a democracy this is not a restriction. Indeed, in our democracies we make our freedoms secure because each of us is expected to respect the rights of others and we are free to make our own laws.

Freedom for our peoples is not only a right, but also a tool. Freedom of speech, freedom of the press, freedom of information, freedom of assembly—these are not just abstract ideals to us; they are tools with which we create a way of life, a way of life in which we can enjoy freedom.

Sometimes the processes of democracy are slow, and I have known some of our leaders to say that a benevolent dictatorship would accomplish the ends desired in a much shorter time than it takes to go through the democratic processes of discussion and the slow formation of public opinion. But there is no way of insuring that a dictatorship will remain benevolent or that power once in the hands of a few will be returned to the people without struggle or revolution. This we have learned by experience and we accept the slow processes of democracy because we know that short-cuts compromise principles on which no compromise is possible.

The final expression of the opinion of the people with us is through free and honest elections, with valid choices on basic issues and candidates. The secret ballot is an essential to free elections but you must have a choice before you. I have heard my husband say many times that a people need never lose their freedom if they kept their right to a secret ballot and if they used that secret ballot to the full.

Basic decisions of our society are made through the expressed will of the people. That is why when we see these liberties threatened, instead of falling apart, our nation becomes unified and our democracies come together as a unified group in spite of our varied backgrounds and many racial strains.

In the United States we have a capitalistic economy. That is because public opinion favors that type of economy under the conditions in which we live. But we have imposed certain restraints; for instance, we have anti-trust laws. These are the legal evidence of the determination of the American people to maintain an economy of free com-

petition and not to allow monopolies to take away the people's freedom.

Our trade-unions grow stronger because the people come to believe that this is the proper way to guarantee the rights of the workers and that the right to organize and to bargain collectively keeps the balance between the actual producer and the investor of money and the manager in industry who watches over the man who works with his hands and who produces the materials which are our tangible wealth.

In the United States we are old enough not to claim perfection. We recognize that we have some problems of discrimination but we find steady progress being made in the solution of these problems. Through normal democratic processes we are coming to understand our needs and how we can attain full equality for all our people. Free discussion on the subject is permitted. Our Supreme Court has recently rendered decisions to clarify a number of our laws to guarantee the rights of all.

The U.S.S.R. claims it has reached a point where all races within her borders are officially considered equal and have equal rights and they insist they have no discrimination where minorities are concerned.

This is a laudable objective but there are other aspects of the development of freedom for the individual which are essential before the mere absence of discrimination is worth much, and these are lacking in the Soviet Union. Unless they are being denied freedoms which they want and which they see other people have, people do not usually complain of discrimination. It is these other freedoms—the basic freedoms of speech, of the press, of religion and conscience, of assembly, of fair trial and freedom from arbitrary arrest and punishment, which a totalitarian government cannot safely give its people and which give meaning to freedom from discrimination.

It is my belief, and I am sure it is also yours, that the struggle for democracy and freedom is a critical struggle, for their preservation is essential to the great objective of the United Nations to maintain international peace and security.

Among free men the end cannot justify the means. We know the patterns of totalitarianism—the single political party, the control of schools, press, radio, the arts, the sciences, and the church to support autocratic authority; these are the age-old patterns against which men have struggled for three thousand years. These are the signs of reaction, retreat, and retrogression.

The United Nations must hold fast to the heritage of freedom won by the struggle of its peoples; it must help us to pass it on to generations to come.

The development of the ideal of freedom and its translation into the everyday life of the people in great areas of the earth is the product of the ef-

forts of many peoples. It is the fruit of a long tradition of vigorous thinking and courage and action. No one race and no one people can claim to have done all the work to achieve greater dignity for human beings and greater freedom to develop human personality. In each generation and in each country there must be a continuation of the struggle and new steps forward must be taken since this is preeminently a field in which to stand still is to retreat.

The field of human rights is not one in which compromise on fundamental principles are possible. The work of the Commission on Human Rights is illustrative. The Declaration of Human Rights provides: "Everyone has the right to life, liberty and security of person." The Soviet Representative said he would agree to this right if a single phrase was added to it—"in accordance with the procedure laid down in the laws of the country." It is obvious that to accept this would be not only to compromise but to nullify the right stated. This case forcefully illustrates the importance of the proposition that we must ever be alert not to compromise fundamental human rights merely for the sake of reaching unanimity and thus lose them.

As I see it, it is not going to be easy to attain unanimity with respect to our different concepts of government and human rights. The struggle is bound to be difficult and one in which we must be firm but patient. If we adhere faithfully to our principles I think it is possible for us to maintain freedom and to do so peacefully and without recourse to force.

The future must see the broadening of human rights throughout the world. People who have glimpsed freedom will never be content until they have secured it for themselves. In a true sense human rights are a fundamental object of law and government in a just society. Human rights extend to the degree that they are respected by people in their relations with each other and by governments in their relations with their citizens.

The world at large is aware of the tragic consequences for human beings ruled by totalitarian systems. If we examine Hitler's rise to power, we see how the chains are forged which keep the individual a slave and we can see many similarities in the way things are accomplished in other countries. Politically men must be free to discuss and to arrive at as many facts as possible and there must be at least a two-party system in a country because when there is only one political party, many things can be subordinated to the interests of that one party and it becomes a tyrant and an instrument of democratic government.

The propaganda we have witnessed in the recent past, like that we perceive in these days, se-

(Continued on page 466)

Albania and Bulgaria Continue To Reject UNSCOB

U.S.-BULGARIAN CORRESPONDENCE

[Released to the press September 27]

During the period August-September, there was an exchange of notes between the Bulgarian Foreign Office and the U.S. Legation, Sofia, on the subject of Bulgarian charges that Greek forces were violating the Bulgarian frontier or taking up threatening positions in its vicinity. The Bulgarian note contained statements and allegations which the Sofia government also forwarded to the Secretary-General of the United Nations. The correspondence between the Bulgarian Government and the Secretary-General of the United Nations on this matter has already been published.¹ The following is the text of the latest exchange of notes between this Government and the Bulgarian Government. This exchange has been communicated by the United States to the body immediately concerned with relations between Greece and the Balkan States, the United Nations Special Committee on the Balkans.

Note of August 28, 1948, delivered by the U.S. Legation at Sofia to the Bulgarian Ministry of Foreign Affairs, replying to its note of August 18

The Legation of the United States of America presents its compliments to the Ministry of Foreign Affairs and has the honor to acknowledge receipt of the latter's note no. 36014-20-1 of August 18, bringing to the attention of the Legation certain allegations as to violations of the Greco-Bulgarian border by Greek groups, which information has been submitted to the Security Council of the United Nations by the Bulgarian Government together with an energetic protest and request that the Security Council of the United Nations take steps to effect the retirement of Greek troops from the frontier to the interior of Greece in order to avoid any incidents. While the Legation is appreciative of the action of the Ministry in bringing this information to its attention, it ventures to point out that the appropriate

agency for the investigation of charges made against Greece by the Bulgarian Government would appear to be the United Nations Special Commission on the Balkans, members of which are presently in Greece, and who would be available for an investigation in connection therewith.

Should this suggestion be not agreeable to the Bulgarian Government the Legation would be pleased to make available one or more of its Service Attachés, perhaps in conjunction with similar officers of other diplomatic missions here, to carry out an impartial investigation of the areas named in the Ministry's note, such investigation naturally to be in cooperation with the competent Bulgarian authorities.

The Legation would appreciate being advised as to whether either or both of the suggestions made above prove of interest to the Ministry.

The Legation of the United States of America avails itself [etc.]

Note of September 11, 1948, from the Bulgarian Foreign Office to the U.S. Legation at Sofia

In reply to *note verbale* 498 of August 28, the Foreign Office has the honor to advise as follows:

Communication made to Legation by circular note of August 18 was purely informative in nature in view of fact that concentration of important Greek troops along Greco-Bulgarian frontier could have provoked serious incidents and difficulties. It is for this reason reply of American Legation somewhat surprised Ministry of Foreign Affairs and more so because Honorable Mission knows perfectly point of view of Bulgarian Government in regard to UNSCOB and knows equally well that Bulgarian Government has declined all demands for investigation along Greco-Bulgarian frontier by military attachés of U.S. and Great Britain in connection with peace treaty considering such investigations as reflection of sovereignty of state.

ALBANIA'S REPLY TO TRIPARTITE APPEAL

[Released to the press October 1]

The Department has received from the French Government the text of the remarks made on September 20 by Mr. Hysni Kapo, Deputy Minister of Foreign Affairs of Albania, in reply to the *marche* made at Tirana on September 13 by the French Minister on behalf of the United States,

October 10, 1948

the United Kingdom and French Governments concerning Albanian aid to the Greek guerrillas.²

The reply rejects the French Minister's appeal that the competent agency of the United Nations, the U.N. Special Committee on the Balkans, be

¹ U.N. press release BAL/376, Sept. 2, 1948.

² *Documents and State Papers*, September 1948.

permitted to operate in Albanian territory, while at the same time, in defiance of logic, it accuses the United States, Great Britain, and France of usurping the peacemaking functions of the United Nations. Equally unsatisfactory is the fact that the reply rejects as well any other type of neutral observation of Albanian conduct towards the Greek guerrillas. The language is evasive but the meaning is clear, being underlined by the statement that Albania "has designated forbidden zones in its territory."

In effect, Albania asks acceptance, without demur or inquiry, of its own allegations of good behavior despite the evidence in the hands of the U.N. Special Committee of extensive and illegal Albanian support of guerrilla operations against the people and Government of Greece, evidence based in considerable part on eyewitness observation by U.N. officials.

Following is an unofficial translation of the Albanian reply:

"1. The Albanian Government is not aware that France, the United States, and Great Britain have the right to represent themselves as powers guaranteeing peace as stated by the Minister of France. The Albanian Government considers not only that such a claim has no foundation in itself but also that such a claim on the part of France, the United States and Great Britain is in direct contradiction with the existence of the United Nations organization and with its goals and principles. In its opinion, such intervention by the three states in Albano-Greek relations, because of its unilateral character, can only serve to create or aggravate friction and misunderstandings between the Al-

banians and Greece, or at least to encourage the move of the aggressors.

"2. The creation of a new International Commission or of any other Commission would not facilitate the settling of these relations as experience has already shown that the Balkan Commission not only does not contribute to peace but on the contrary, as we know, it has served to worsen the relations between Greece and Albania and Greece's other northern neighbors.

"3. It is necessary to emphasize again that the abnormal conditions existing between Greece and Albania, it is the Greek Government which is guilty, although it always tries to shake off its responsibility for this state of affairs, and that the Albanian Government has more than once shown itself ready for the settlement of relations with Greek neighbors. With good will on the part of the Greek Government, the border conflicts could have been avoided and the situation at the border would be normal.

"4. The Albanian Government's conduct in regard to the interning and disarming of Partisans crossing the Albano-Greek border is entirely in conformity with the rules of international law; in addition, the Albanian Government categorically rejects as absolutely at variance with the facts the Greek statement that interned Partisans were armed in Albanian territory and returned to Greece. The action of the Albanian Government in giving protection and assistance to Greek women, children and old people also conforms exactly to international law. As to movement in the frontier zone, it is necessary to point out that Albania, as do also other states, has designated forbidden zones in its territory, which is an undoubted right of a sovereign state."

Documents and State Papers

September 1948

The September issue of *Documents and State Papers*, which will be released shortly, will contain the following items:

- U.N. Special Committee on the Balkans:
 - Comment on Report to the 3rd Session of the General Assembly
 - The First and Second Interim Reports
 - The Annual Report to the U.N. and a Supplementary Report
- Restitution of Looted Property by Japan
- Designation of Successor Organization to Claim Jewish Property
- Calendar of International Meetings with Annotations

Copies of this publication are for sale by the Superintendent of Documents, Government Printing Office, Washington 25, D.C. at 30 cents a copy; subscription price for 12 issues is \$3.00 a year.

The United States in the United Nations

The Berlin Crisis

At the Palais de Chaillot in Paris on October 3 the Security Council debated whether it was competent to take up the Berlin question. Mr. Vyshinsky (U.S.S.R.) opened the discussion by denying the Council's competence in the matter of an overt violation of article 107 of the Charter as well as of the Potsdam and Yalta agreements. He denied that the situation in Berlin was a threat to the peace. He further maintained that Berlin was part of the entire question of Germany, for which the Council of Foreign Ministers was responsible. He further declared that in reality there was no blockade of Berlin and that the Soviet authorities had repeatedly stated that they were ready to assume responsibility for feeding the population of Berlin.

Philip C. Jessup, Deputy U.S. Representative to the Security Council, emphasized that the actions of the Soviet Union demonstrated that the Soviet Union was attempting by illegal and coercive measures to achieve political objectives to which it was not entitled and which it could not achieve by peaceful means. The real issue, Mr. Jessup maintained, was whether the only existing international machinery for the preservation of peace can be used to remove a threat to the peace. In accordance with article 33 of the Charter of the United States, in agreement with the United Kingdom and France, had made every effort through direct discussion with the U.S.S.R. to settle the matter. The Soviet Union's repudiation of its promises made further discussion futile, and the three Governments brought the matter to the attention of the Security Council.

Sir Alexander Cadogan (United Kingdom) followed Mr. Jessup and supported the United States representative.

Warren Austin called the October 4 session to order but relinquished the presidency for the duration of the discussion of the Berlin question. Juan Bramuglia (Argentina) presided over the meeting.

The Security Council voted 9 to 2 to hear the complaint of the United States, the United Kingdom, and France against the actions of the Soviet Union in the Berlin blockade as constituting a threat to world peace and security.

The position of the United States Government was outlined by Mr. Jessup on October 6, when he reviewed the development of the Berlin situation. The salient feature of the case before the Security Council, he said, "is that the Soviet blockade still maintained and thus continues in existence a threat to the peace which it created." He concluded by stating that "we do not bring this case to the Security Council with any cut-and-dried

formula for its solution. It is our hope the Security Council can assist in removing the threat to peace. Nothing which has happened has changed our position on that point. The moment that the blockade is lifted, the United States is ready to have an immediate meeting of the Council of Foreign Ministers to discuss with the Soviet Union any questions relating to Germany."

Atomic Energy

Mr. Tsiang (China) opened the October 1 meeting of Committee I by calling attention to the Atomic Energy Commission's majority proposals, which were a process of evolution, while the Soviet Union had not responded to the repeated requests of the Atomic Energy Commission to furnish concrete evidence in support of its proposals. Mr. Tsiang stated that China stood "solidly behind the majority plan" and supported the Canadian resolution. Mr. El Khouiri (Syria) introduced an amendment to the Canadian resolution which was similar to the U.S. June 22 resolution previously vetoed in the Security Council. Colombia and Belgium supported the Syrian version.

On October 4 Warren Austin again called for action for effective international control of atomic energy and questioned whether the Soviet Union in its new proposal on the question would accept the international control plan already approved by a majority of the Atomic Energy Commission. Mr. Austin pointed out that without effective and enforceable international control of atomic energy in the beginning and all the time the world would have no security from atomic destruction.

In an analysis of the new Soviet proposal . . . made by Mr. Vyshinsky on October 2 for two conventions—one on prohibition of atomic weapons and the other on "effective" international control—which would be signed and put into force simultaneously, Mr. Austin said that if this meant the Soviets approved really effective control, then a long step had been taken, but he noted that Mr. Vyshinsky and Mr. Manuilsky (Ukrainian S.S.R.) had indicated they still adhere to the narrow nationalist stand they have maintained and would seek to retain veto right over any control agency which might be established. If that is the true interpretation of the language, Mr. Austin said, "there is a chasm that has yet to be bridged."

Mr. Austin reiterated the U.S. support for the majority control plan of the Atomic Energy Commission and for the Canadian resolution now before Committee I. That draft resolution would have the General Assembly approve the Commission reports, recommending the international control system and telling of Soviet opposition to the inspection and regulation powers the Commission would accord to a world control agency.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

Toward Revision of the Geneva Convention

BY WILLIAM H. McCAHON

The United States has actively supported the initiative taken in the fall of 1945 by the International Committee of the Red Cross to revise existing international treaties applicable to prisoners of war¹ and to bring into being a new convention establishing humane standards of treatment for civilians in time of war. In the light of experiences of World War II those in the Government charged with the responsibility of the practical application of the existing conventions were convinced of the necessity for rather extensive revisions of those conventions for the purpose of (1) bringing them up to date, (2) making them easier to apply uniformly and less susceptible to different interpretations, and (3) providing more effective protection for the categories of persons covered. It was considered equally important to obtain through international treaty similar legal protection for civilians in belligerent and occupied territories. The generally unsatisfactory stop-gap measure of attempting to apply the prisoners-of-war convention to certain categories of civilians during World War II had pointed up the need for a separate convention formally defining the treatment to be accorded such persons in wartime.

The United States participated in preliminary informal discussions of this subject at a meeting of government experts convened at Geneva under the auspices of the International Committee of the Red Cross, April 14-26, 1947.² At that meeting 14 Allied governments were represented, and considerable progress was made in the formulation of revised and new draft conventions. The Seventeenth International Red Cross Conference which took place at Stockholm August 20-30, 1948, and in which 49 governments and 51 national Red Cross societies participated, offered an opportunity for continuance of these discussions on a somewhat broader scale, and represented another stepping-stone toward the ultimate objective—the formal signing by governments of new conventions.

The United States sent a Delegation to the Stockholm conference which included Government representatives from the Department of State, the three military services, the Department of Justice,

and the Post Office Department. In addition, members of the American Red Cross delegation, the conference participated in the convention revision discussions. Basil O'Connor, president of the American Red Cross, served as chairman of both delegations. While there were many other matters of interest to the Red Cross world beyond the conference, the United States Government Delegation confined its activities almost entirely to the work of the Legal Commission, which was charged with the responsibility for reviewing and making recommendations with respect to the several draft conventions under consideration. The working drafts submitted to the conference had been prepared by the International Committee of the Red Cross on the basis of the recommendations coming out of the earlier meeting at Geneva.

Thirty governments and 32 Red Cross societies took part in the work of the Legal Commission at the first meeting of which took place the morning of Saturday August 21. On the motion of the United States, it was agreed to set up immediately three technical subcommissions to make possible a detailed study of each of the draft conventions. The election of subcommission chairmen and other organizational details were completed at the morning session so that the subcommissions were able to start their deliberations the afternoon of the same day to consider respectively (I) the treatment of the sick and wounded and the establishments devoted to their care including hospital ships; (II) the treatment of prisoners of war; (III) the treatment of civilians.

With the exception of Sunday, these subcommissions met daily through Friday, August 27, then returned the following day to a plenary session of the Legal Commission for reporting and obtaining approval of their findings and recommendations. Finally, the accomplishments of the Legal Commission were formally approved at a plenary session of the conference on August 29, the last day of the conference.

In view of the volume of the work entailed in reviewing article by article each of the draft conventions, it became obvious early in the discussion that if the task before the Legal Commission was to be accomplished within the time allotted, emphasis must be placed on obtaining in the subcommissions agreement on the substantive text of each article. This procedure was generally followed. Considering the large number of governments and Red Cross societies represented and their varying

¹ The two Geneva conventions of 1929 relative to the treatment of prisoners of war and the wounded and sick, and the Hague convention of 1907 relative to maritime warfare (commonly referred to as the hospital ships convention).

² For an account of this meeting by Albert E. Clattenburg, Jr., see *BULLETIN* of June 22, 1947, p. 1205.

interests, the degree of agreement reached was remarkable.

Substantial portions of the United States draft position on all four of the conventions were adopted as presented. This position had been formulated by the Interdepartmental Prisoners of War Committee in whose work the representatives of the Departments of State, Army, Navy, War Force, Justice, Treasury, Post Office, and the American Red Cross had participated in preparation for this meeting. The only major point on which the United States recommendation did not prevail was in connection with the discussion in Commission I concerning the status to be accorded doctors, chaplains, and medical corps men attached to the armed forces, if they fall into the hands of the enemy. Opposition was encountered to the United States position that such personnel be treated as prisoners of war. The opposition took its stand primarily on traditional grounds, holding that the language of the present convention which states that if captured such personnel shall not be treated as prisoners of war, should be retained; that to do otherwise would be a step backward and would have the effect of placing a stigma on medical personnel. Additionally there was expressed that the proposed change might adversely affect recruitment of doctors for the armed forces. In supporting its position the United States Delegation stressed the following considerations: (1) that practical experience has shown it to be administratively impossible to exempt such personnel from prisoners-of-war status, and consequently, to endeavor to do so would only invite violations; (2) that by giving such personnel the status of prisoners of war they are thereby afforded fuller protection under the conventions than they might otherwise receive; and (3) that medical and spiritual services rendered by such personnel are more than ever necessary in circumstances of captivity in ministering to the need of their comrades, and if they were to share the same it would serve as a morale builder for their own. In addition, the United States Delegation made it clear that it was not recommending the treatment of such personnel as prisoners of war indefinitely or in numbers greater than the situation warranted, but on the other hand it strongly believed that a detaining power should have the right for practical as well as humanitarian reasons to detain a sufficient number of captured doctors, chaplains, and medical corps men to insure adequate care for wounded and sick prisoners of war. The United States Delegation maintained that all such personnel not being used for this purpose should be repatriated promptly, that the professional status of those detained should be recognized and respected, and that the detaining power under the convention should provide adequate

facilities, supplies, and equipment for their use in caring for the wounded and sick.

Although it is unfortunate that agreement on this point could not be reached at this conference, it is apparent that the objective of the proponents of both views is basically the same, that is, to obtain the maximum amount of protection for this category of personnel while at the same time providing for the adequate care of the wounded and sick. Consequently, it is confidently hoped that a satisfactory formula acceptable to both sides can be found without too much difficulty in subsequent discussions of representatives of the interested governments.

Foremost among the revisions supported by the United States which were concurred in by the conference were the following: (1) a complete rewording of the article concerning food which, in essence, provides that the food ration of prisoners of war shall be sufficient in quantity, quality, and variety to keep prisoners in good health, and prevent loss of weight or the development of nutritional deficiencies; (2) a new and simplified formula regarding the employment of prisoners of war which among other things prohibits their use for mine clearance and disposal work; (3) prompt repatriation of prisoners of war after the cessation of hostilities; (4) a provision permitting transfers of prisoners of war among allies provided the receiving government is a party to the convention, and placing on both governments involved in the transfer equal responsibility in seeing that the treatment received by prisoners of war following their transfer is in accordance with the terms of the convention; (5) the extension of the application of the prisoners of war and civilian conventions to civil wars provided the dissident party agrees for its part reciprocally to apply the terms of those conventions; (6) definition of the conditions which must be met by partisan forces if they are to be accorded treatment as prisoners of war and entitled to protection of that convention; and (7) improved identification markings for hospital ships including night lighting.

While none of the decisions reached at this conference are formally binding upon the participating governments, the degree of agreement reached through open discussion on certain of the more contentious articles augers well for the future. It is recognized that much additional work lies ahead, but it is now believed by those in the Government who have been closest to the problem that, as a result of the progress made to date, further preparatory meetings on the subject are unnecessary and would serve only to delay matters. It is hoped therefore that the next step will be the convocation early next year of a formal diplomatic conference of governments for the purpose of final drafting and the signing of new conventions.

Representatives to Weights and Measures Conference

[Released to the press September 30]

The Department of State announced on September 30 that the United States will be represented at the Ninth General Conference of the International Bureau of Weights and Measures scheduled to be held at Paris and Sèvres, France, October 12-21, 1948, by Dr. Edward U. Condon, Director of the National Bureau of Standards, U.S. Department of Commerce, and Dr. Eugene C. Crittenden, Associate Director of the National Bureau of Standards.

This Conference is being held under the provisions of the treaty known as "the convention of the meter" which was signed at Paris on May 20, 1875, and to which the United States Government is a party. This treaty provided for an organization of three parts: the International Committee, the General Conference, and the International Bureau of Weights and Measures. This organization is responsible for all joint work of adhering countries on the problems of metrology.

The meetings of the General Conference are held at six-year intervals, for the purpose of dealing with matters of international agreement affecting measures of length and weight, electrical measurements, temperature measurements, and units of photometric measurement. The meeting scheduled for October 1939 was postponed owing to the outbreak of war; consequently, since the last meeting was held in 1933, the conference has an unusually important agenda of topics to consider.

The National Bureau of Standards has been in charge of important technical preparatory work of the Conference in earlier meetings of specialized committees meeting in advance of the General Conference.

Reports to be considered at the Conference include the results of recent international comparisons of the national prototype meter bars and the national prototype kilograms, standardization of the use of wave lengths of light as a means of precision length measurement, problems concerned with the adoption of the absolute system of electrical units for general use, adoption of a new definition of the unit of light intensity, revision of the international temperature scale, and other matters related to the fundamental basis of precise measurements as used in science and industry.

Struggle for Human Rights—Continued from page 460

to impugn, to undermine, and to destroy the liberty and independence of peoples. Such propaganda poses to all peoples the issue whether to doubt their heritage of rights and therefore to compromise the principles by which they live, or try to accept the challenge, redouble their vigilance, and stand steadfast in the struggle to maintain and enlarge human freedoms.

People who continue to be denied the respect to which they are entitled as human beings will not acquiesce forever in such denial.

The Charter of the United Nations is a guiding beacon along the way to the achievement of human rights and fundamental freedoms throughout the world. The immediate test is not only the extent to which human rights and freedoms have already been achieved, but the direction in which the world is moving. Is there a faithful compliance with the objectives of the Charter if some countries continue to curtail human rights and freedoms instead of to promote the universal respect for an observance of human rights and freedoms for all as called for by the Charter?

The place to discuss the issue of human rights is in the forum of the United Nations. The United Nations has been set up as the common meeting ground for nations, where we can consider together our mutual problems and take advantage of our differences in experience. It is inherent in our firm attachment to democracy and freedom that we stand always ready to use the fundamental democratic procedures of honest discussion and negotiation. It is now as always our hope that despite the wide differences in approach we face in the world today, we can with mutual good faith in the principles of the United Nations Charter, arrive at a common basis of understanding.

We are here to join the meetings of this great international Assembly which meets in your beautiful capital city of Paris. Freedom for the individual is an inseparable part of the cherished traditions of France. As one of the Delegates from the United States I pray Almighty God that we may win another victory here for the right and freedoms of all men.

THE RECORD OF THE WEEK

Agreement Between the United States and the United Kingdom Proposing International Committee on Scrap

[Released to the press October 11]

Announcement was made on October 1 by the Department of State of the signing in Washington of an agreement with the United Kingdom proposing the establishment of an international committee to recommend allocations of iron and steel scrap available for export from ERP countries including the Bizonal Area of Germany. The agreement also provides for the immediate allocation from the Bizonal Area of 500,000 tons of scrap each to the United States and to the United Kingdom and 225,000 tons for distribution to other deficit countries at uniform prices to be established by the U.S.-U.K. military governors. It is hoped that the total quantity to be shipped from the Bizonal Area in the next 12

months will be about 2,000,000 tons or more. All scrap shipped from Germany will be in excess of the legitimate requirements of the Bizone steel industry. Much of the scrap available in the Bizonal Area consists of rubble material from wrecked industrial plants, railway installations, abandoned ships, etc.

Since the end of the war little commercial scrap has been imported to the United States from Germany. As a result of the recent currency reform and the signing of this agreement, it is expected that Germany will now make a substantial contribution toward relieving the serious scrap shortage existing in this country as well as in Europe.

The text of the agreement which follows was embodied in an exchange of notes on September 30, 1948, between the two Governments.

AGREEMENT ON FERROUS SCRAP

Proposal to OEEC Countries on Allocation of Machinery

A proposal will be put before the members of the Organization of European Economic Cooperation that an *ad hoc* Committee be established in Paris consisting of representatives of OEEC members and the United States as a full member. It is proposed that this Committee, although outside the jurisdiction of the OEEC Council, should work in close cooperation with it and its committees. The functions of the Committee shall be to make recommendations to the Governments of the countries participating in the OEEC, including the Bizonal Area of Germany and the French Zone, on the distribution of scrap exports from those countries. Final decisions with respect to exports will be made, however, by the Governments of the exporting countries. In the Bizonal Area decisions will be made by the US and UK Military Governors subject to the provisions of Article II of this Agreement.

I. Instructions to Military Governors

Identical instructions shall be sent to the US and UK Military Governors in Germany as follows:

1. It is the desire of the Governments of the United States and United Kingdom that the total collection and export of scrap from the Bizonal Area, after providing for the legitimate requirements of the German steel industry, be maximized.

Initial Authorizations Outside of Future Allocations

2. The existing authorization (approved May 13, 1948) of 600,000 tons (namely 200,000 tons to the United States, 200,000 tons to the United Kingdom and 200,000 tons to other countries) is confirmed.

3. In addition there will be the following supplementary authorizations:

(a) 100,000 tons to the United States, to bring the United States share to parity with the above-mentioned United Kingdom share of 300,000 tons;

(b) 75,000 tons to the United Kingdom as a final shipment of booty scrap without payment;

(c) 75,000 tons to the United States, to correspond to (b) above, but not free of payment.

4. The above total authorizations of 375,000 tons to the United States, 375,000 tons to the United Kingdom and 100,000 tons to other countries shall not be charged to future allocations, and the two Military Governors shall implement these authorizations immediately.

Export Availabilities from Bizonal Area

5. The US and UK Military Governors shall inform the *ad hoc* Committee, promptly after its establishment and from time to time thereafter, of the anticipated volume of scrap exports from the Bizonal Area. It is hoped that this figure for the year ending October 1, 1949, will be 1,000,000 tons or more, over and above the 850,000 tons authorized above outside of future allocations.

Interim Authorizations Chargeable Against Future Allocations

6. As an advance against contemplated early allocations within the framework of the regular allocating procedure, there shall also be authorized a further 125,000 tons to the United States, 125,000 tons to the United Kingdom and 125,000 tons to other countries, such quantities to be charged against future allocations. The two Military Governors shall also implement these authorizations immediately.

7. In the event that no recommendation is made by the *ad hoc* Committee before October 31, 1948, further interim authorizations shall be made on that date and on the last

THE RECORD OF THE WEEK

day of each month thereafter in the ratio of 2-2-1 for the United States, the United Kingdom and other countries, respectively, until such time as the regular allocation procedure is in operation.

Implementation of Allocations

8. In implementing this Agreement, the US and UK Military Governors shall determine among other matters:

(a) whether to implement allocations by control over contracts or control over exports or both;

(b) whether, if control over exports is adopted, the Joint Export-Import Agency may approve contracts within agreed limitations in excess of the total outstanding allocations of any country;

(c) whether, in appropriate cases, contracts shall provide for delivery of scrap within specified short periods in order to prevent undue tying up of allocations in individual long-term contracts;

(d) whether and in what manner to instruct JEIA to take precautions to satisfy itself as to the competence of contracting parties to implement the terms of the contract.

Effective Date of Foregoing Authorizations

9. All scrap exported subsequent to the date of this Agreement shall be charged against the foregoing authorizations.

Booty Scrap

10. There shall be no further exports of booty scrap after the date of this Agreement except for the 75,000 tons authorized under paragraph II 3 (b) above.

Price

11. The price of scrap with appropriate differentials for loading points, quality of scrap, etc., shall be uniform for all foreign buyers, and shall be set from time to time by the US and UK Military Governors under such procedures as they may establish.

Special Measures

12. If the US and UK Military Governors consider that

adequate quantities of exportable scrap cannot be obtained without special measures, they are authorized to approve the recovery of scrap by such measures. Scrap recovery under such arrangements, if approved, may be outside regular allocations but subject to such special allocations as the US and UK Military Governors may determine after consultation with the ad hoc Committee.

Direct Recovery of Scrap

13. Nothing in this Agreement shall preclude operation by non-German organizations for the recovery of scrap from disarmament and other sources not readily accessible to German scrap merchants provided such operations are carried on in a manner acceptable to the US and UK Military Governors and that all recoveries of scrap (other than the 75,000 tons of booty scrap mentioned above) are paid for at prices established by the US and UK Military Governors and are within either the regular or the special allocations determined by the US and UK Military Governors.

US-UK Scrap Control Authority

14. The US and UK Military Governors shall set up a US-UK scrap control authority in which each shall appoint a coordinator to supervise and control the collection and export of ferrous scrap. This control authority shall be subject, through whatever organization the Military Governors may determine, to the jurisdiction of the Bipartite Board.

III. Reservation of Fusion Agreement

Nothing in this Agreement shall be deemed to modify the arrangements set forth in the Fusion Agreement of December 2, 1946 as amended by the Agreement of December 17, 1947. Questions which may arise with respect to scrap exports under the present Agreement will be resolved as contemplated in paragraph 5 of the Agreement of December 17, 1947, having regard also to the provision of paragraph 3 (a) of the latter Agreement.

Policy on Commercial Fishing in Pacific Island Trust Territory

JOINT AGENCY APPROVAL

[Released to the press September 29]

The Department of State announced on September 29 the policy of this Government relating to commercial fishing operations in the United States Trust Territory of the Pacific Islands. The policy was approved by the Departments of State, Army, Navy, Air Force, and Interior as a guide to the administration of the Trust Territory and will have the effect of opening the area to commercial fishing. Rich fishery resources, particularly tuna, are available in the waters around this Territory in an area as large as the continental United States. The Territory, itself, contains scarcely as much land area as the State of Delaware. Several commercial fishing companies have shown interest in beginning fishing operations im-

mediately. It is possible that an industry can be built on the fishery resources that will eventually pay a considerable part of the administrative costs of the Territory.

Fishing operations will be under the strict control of the High Commissioner of the Trust Territory in order that the welfare of the native inhabitants can be safeguarded and the harvesting of the resources can be undertaken along adequate conservation lines.

Fishing opportunities will be equally available to the fishing enterprises of all nations except that the High Commissioner will have discretion in excluding enterprises for reasons of security or for the purpose of carrying out the obligation to promote the advancement of the inhabitants.

Department of State Bulletin

TEXT OF POLICY DIRECTIVE

[Released to the press September 29]

A. With a view to cooperating in the effort to increase world food production and in order to improve the local economy and to obtain information needed for conservation of fishing resources of the area, the territorial waters surrounding the Trust Territory, except those parts closed for security reasons, should be open to the commercial fishing enterprises of all nations on a non-discriminatory basis, except that whenever a country denies rights with respect to fishing and ancillary operations needed and desired by the local inhabitants of the Trust Territory, the Government of the Trust Territory may, if necessary to obtain those rights, deny that country rights in the Trust Territory.

B. The administering agency, in collaboration with the Fish and Wildlife Service of the Department of the Interior, should conduct research as soon as possible with a view to establishing conservation regulations. Fishing grounds within the territorial waters found to be necessary for the local economy should be reserved exclusively for the use and benefit of the local inhabitants.

C. Immediate steps should be taken to foster the development of aquatic resources, including locally owned and operated commercial fishing, bait culture, and ancillary commercial industries.

D. With respect to canning and other fish-processing industries, the administering agency should give priority to the development of locally owned and operated enterprises.

E. The administering agency may, under such conditions, as may be agreed upon by the interested departments, grant permission for the establishment and maintenance of shore facilities to outside canneries and other fish-processing industries provided that, in determining whether such permission shall be granted and in establishing the conditions under which such permission is to be granted, the interests of the local inhabitants shall be paramount.

F. Annual licenses should be required of all commercial fishing vessels operating within territorial limits or operating out of local ports. Licenses to nonlocal fishing vessels should be granted on the understanding that they are subject to revocation or modification wherever security interests or the interests of the inhabitants require. Licensees should be required to furnish such statistical information regarding fishing operations as the administering agency, in collaboration with the Fish and Wildlife Service, shall deem appropriate.

G. Local inhabitants should be employed in the

complement of a fishing vessel or canning or other ancillary industry licensed for operation in a Trust Territory to the maximum extent consonant with efficient operations. Regulations should be issued prescribing minimum and nondiscriminatory wages and standards of working conditions and otherwise protecting locally hired personnel. The employment of nonlocal personnel in shore establishments should be subject to regulations by the government of the Trust Territory.

H. Except as provided in paragraph A above, and subject to the right of the High Commissioner of the Trust Territory of the Pacific, within established governmental policy to exclude any individual or group of individuals for reason of security, and the obligation to promote the advancement of the inhabitants, the principle of nondiscrimination on the basis of nationality shall be observed in the implementation of the foregoing principles and shall apply to all aspects of commercial fishing and ancillary operations and the regulation thereof in the Trust Territory.

Two U.S. Citizens Held Incommunicado in Hungary Released

[Released to the press September 27]

American citizens Paul Ruedemann and George Bannantine, president and technical adviser respectively of MAORT, an American-owned affiliate in Hungary of the Standard Oil Company (New Jersey), have been released from detention by the Hungarian authorities following vigorous United States representations both at Washington and at Budapest to the Hungarian Government and, accompanied by an officer of the American Legation at Budapest, arrived in Vienna at 11:30 a.m. on September 26.

Mr. Ruedemann and Mr. Bannantine were taken into custody by the Hungarian police on the night of September 18 and held incommunicado until their release on September 25. The United States Government considers the allegations made against these two men by the Hungarian authorities and by the officially controlled Hungarian press and radio involving "economic sabotage" were wholly unfounded. These arrests followed a long series of encroachments by the Hungarian authorities on the rights of MAORT, which have now culminated in the seizure of the company under a decree issued by order of the Cabinet Council on September 24 and published in the *Official Gazette* on September 25.

Economic Cooperation Agreement With Portugal Signed

Statement by Acting Secretary Lovett

[Released to the press September 29]

A bilateral agreement in connection with the European Recovery Program was signed with the Portuguese Government on September 28 at Lisbon by Ambassador MacVeagh and the Portuguese Foreign Minister.¹ Although the Portuguese Government is receiving no financial aid under the European Recovery Program, they have given their firm support to the program from the very beginning. The signing of the ERP agreement and the cordial remarks of the Portuguese Foreign Minister on that occasion have shown again the spirit of good will and cooperation of the Portuguese Government in participating in the huge task of European reconstruction.

Department of State To Have Full Direction of Voice of America Programs

[Released to the press September 30]

Preparation and broadcasting of those Voice of America programs which had previously been handled by the National Broadcasting Company and Columbia Broadcasting System under contract with the Department of State, were undertaken by the Department beginning October 1.

In making the announcement, George V. Allen, Assistant Secretary of State for public affairs, said

¹ For text of the agreement, see Department of State press release 788 of Sept. 29, 1948. For text of a similar agreement with Italy, see BULLETIN of July 11, 1948, p. 38.

Identical notes between the two Governments were exchanged relating to most-favored-nation treatment for areas under military occupation. With the exception of the following paragraph this exchange is similar to the understanding with the U.K. which was printed in the BULLETIN of July 11, 1948, p. 43:

"1. For such time as the Government of the United States of America participates in the occupation or control of any areas in western Germany, the Free Territory of Trieste, the Government of Portugal will apply to the merchandise trade of such area the provisions relating to the most-favored nation treatment of the merchandise trade of the United States of America set forth in the Commercial Agreement signed June 28, 1910, or for such time as the Governments of the United States of America and Portugal may both be contracting parties to the General Agreement on Tariffs and Trade, dated October 30, 1947, the provisions of that Agreement, as now or hereafter amended, relating to the most-favored-nation treatment of such trade. It is understood that the undertaking in this paragraph relating to the application of the most-favored-nation provisions of the Commercial Agreement shall be subject to the exceptions recognized in the General Agreement on Tariffs and Trade permitting departures from the application of most-favored-nation treatment; provided that nothing in this sentence shall be construed to require compliance with the procedures specified in the General Agreement with regard to the application of such exceptions."

the transfer of functions was effected under agreement between the Department and the radio networks following their decision to withdraw from programming activities in the field of international broadcasting.

The two networks were preparing and broadcasting Voice of America programs in English, Spanish, Portuguese, French, Italian, German, Annamese, Malayan, and Siamese.

The Department's International Broadcasting Division, which has charge of Voice of America operations, will continue to lease short-wave transmitting facilities of private companies, including those of NBC and CBS.

The broadcast output to Latin America was reduced October 1 to 2 hours and 45 minutes daily from the previous 4 hours and 45 minutes' schedule. Daily Far Eastern programs of 15 minutes each in Annamese, Malayan, and Siamese, which had been prepared by CBS up to October 1, were discontinued. European schedules will remain virtually intact with broadcasts continuing in Bulgarian, Czech, English, French, German, Greek, Hungarian, Italian, Polish, Rumanian, Russian, Serbo-Croat, Slovak, Slovene, and Spanish.

Broadcasts will continue to the Far East in Chinese, Korean, Russian, and English, and to Latin America in English, Portuguese, and Spanish.

The Voice of America will increase certain existing broadcasts and will inaugurate programs in additional languages as soon as an adequate staff can be recruited. The output to Europe was given added impetus October 3 when the relay of Voice of America programs through the British Broadcasting Corporation facilities was increased from 9 to 10½ hours daily.

Ambassador Butler To Represent President at Cuban Inauguration

[Released to the press October 3]

Robert Butler, United States Ambassador to Cuba, has been named Special Ambassador to represent the President at the inauguration of Dr. Carlos Prío Socarrás, President-elect of Cuba, on October 10, 1948. Members of his special mission will be Admiral Louis E. Denfeld, United States Navy, Lt. General Matthew B. Ridgway, United States Army, Major General Willis F. Hall, United States Air Force, and officers of the United States Embassy at Habana.

Air Transport Agreement With Bolivia

[Released to the press September 30]

The Department of State on September 30 announced that an air-transport agreement between the Governments of Bolivia and the United States was signed in La Paz on September 29, 1948.

Department of State Bulletin

The agreement is of the so-called Bermuda type, on which is based the great majority of the 36 lateral air agreements of the United States. The agreement grants traffic rights to United States airlines at La Paz, Cochabamba, Santa Cruz, Puno, Oruro, and Puerto Suárez. A route for Bolivian air lines is to be agreed upon when Bolivia is ready to operate a service to the United States.

Complete text of the agreement will be announced later.

S. Vessels Sailing to Arctic in Support of Canadian-U. S. Joint Weather Station Program

[Released to the press September 28]

It was announced in Ottawa and Washington on September 28 that three U.S. Navy and Coast Guard vessels, with Canadian representatives aboard, would shortly be sailing to Canadian Arctic waters in support of the joint weather-station program which is being carried out by the Governments of Canada and the United States.

These three ships—The U.S.S. *Edisto*, icebreaker, the U.S.C.G. *Eastwind*, icebreaker, and the U.S.S. *Wyandot*, cargo vessel, have now returned to Boston.

During the summer they resupplied the joint weather stations established in 1947 at Eureka, Ellesmere Island, and at Resolute Bay, Cornwallis Island. They also made a preliminary investigation of the possibility of establishing a further joint station in the vicinity of Winter Harbour, Melville Island. In the course of reconnoitering a site for an additional joint station on Ellesmere Island, the *Edisto* and the *Eastwind* managed to reach, via Robeson Channel, the Cape Sheridan area at the north of that island. This area in the extreme north of Canada was the scene of the activities of the British explorer, Sir George Nares, in 1875-1876 and of the subsequent activities of the United States explorer, Admiral Peary, in 1905-1906. The supply mission came across Nares' and Peary's cairn and, as is usual on northern expeditions, Peary's notes found in the cairn were replaced by appropriate documents. The *Edisto* and the *Eastwind* returned to the Atlantic coast through Fury and Hecla Strait, between the Melville Peninsula and Baffin Island.

The ships which participated in the supply mission were under the command of Capt. George J. Meek, U.S.N., embarked in the *Edisto*. The *Edisto* was commanded by Commander E. C. Folger, U.S.N.; the *Wyandot* by Capt. J. D. Dickey, U.S.N.; and the *Eastwind* by Capt. J. A. Flynn, U.S.C.G. Among the principal Canadian representatives who participated in the supply mission were J. Ivor Griffiths of the Meteorological Division, Department of Transport, and Capt. Albani

Chouinard, master of the Department of Transport icebreaker *Saurel*.

Records of Nares and Peary Canadian Arctic Expeditions Found

[Released to the press September 30]

Announcement was made on September 28 of the recent return to Boston of the ships which participated in the resupply of the Canada-United States weather stations in the Canadian Arctic.

While near Cape Sheridan, on the north coast of Ellesmere Island, a landing party from the supply mission located a cairn which contained records of two famous Arctic expeditions. The first was that of Sir George Nares, of the Royal Navy, whose ship, the *Alert*, sailed north, in 1875, between Canada and Greenland, to Cape Sheridan. In July, 1876, after exploring the Ellesmere coast westward to Cape Alfred Ernest, Nares' expedition left a record of its activities in a cairn near Cape Sheridan. While on a polar expedition, Admiral Robert E. Peary, the U.S. explorer, subsequently visited the same region in 1905-1906 and, as usual among Arctic explorers, he opened Nares' cairn, took the original note, left a copy of it in the cairn, and added a record of his own activities.

When at Cape Sheridan, the recent supply mission again opened the cairn, removed the notes in it and left copies of them together with a note on the 1948 visit.

The texts of the notes brought back this summer are given below:

Copy of Original Document Left by Admiral Robert E. Peary at Cape Sheridan

CAPE SHERIDAN, September 5th, 1905.

The Peary Arctic Club's Ship "Roosevelt" arrived here from New York at 7. a.m. and made fast to the ice foot under the point of the cape awaiting the turn of the tide to proceed to Cape Hecla.

The Roosevelt left New York July 16th., Sidney, Cape Breton, July 26th, arrived Cape York August 7th, and left Etah August 17th. Her last stopping place was the icefoot south of Cape Union which she left at 3:30 this morning.

Personally visited the Alert's Cairn at Floberg Beach and took there from Alert's Record, copy of which accompanies this. Roster of the Roosevelt's Company is also enclosed.

R. E. PEARY, U.S.N.

Commanding the Expedition

Copy of H.M.S. Alert's Record Left in 1876

ARCTIC EXPEDITION.

25th July-1876

H.M.S. "Alert", at Floe-berg Beach (Lat. 82° 27' North. Long. 61° 22' West)

H.M.S. "Alert" wintered off this coast: inside the grounded ice 1875-1876. H.M.S. "Discovery,"

her consort, passed the same winter in a well sheltered harbour in Lat. 81° 44' North, Long. 65° 5' West.

The sledge crews after a very severe journey over the ice succeeding in attaining Lat. 83° 20' 30" N. No land has been sighted to the North. Another division explored the coast line to the Northward and Westward to Lat: 82° 23' N. Long: 84° 56' W. Cape Columbia the northernmost Cape being in Lat 83° 7' N. Long. 70° 30' W.

Sledge parties from the "Discovery" have explored the Greenland Shore for some distance to the Northward and Eastward, but the result of the examination is not yet known to me.

Scurvy attacked nearly all the men employed in sledge traveling. Two deaths have occurred: Niels. C. Peterson from the effects of a severe frostbite (which necessitated a part of each foot being amputated) followed by exhaustion and scorbutic taint;—and George Porter, Gunner R.M.A. who died from scurvy and general debility when absent on a sledge journey; and was buried on the floe in Lat. 82° 41' N.

The ice in the Polar Sea broke up on the 20th July,—when it permits us to move, the "Alert" will proceed south and join company with the "Discovery"; both ships will then sail for Port Foulke, and most probably thence to England.

G. S. NARES,
Captain R.N.

Commanding Arctic Expedition

Control of Foreign Assets in U.S. Ended

[Released to the press by the Treasury Department September 30]

Secretary Snyder announced on September 30 the close of more than eight years of activity by the Treasury in the field of controlling foreign assets in the United States. The program started by the Treasury Department almost a decade ago is to be carried through to its ultimate liquidation by the Department of Justice pursuant to a Presidential transfer of jurisdiction.

Plans for this transfer, which is effective as of midnight, September 30, were made by the interested departments in February and were at that time approved by the National Advisory Council and communicated to the Congress. Accordingly, the Treasury Department regulations setting forth the organization and procedures of Foreign Funds Control, and other related regulations promulgated in 1942, are being revoked. These regulations are being superseded by new regulations similar in scope issued by the Department of Justice.

Treasury participation in this field began with the freezing order of April 1940, issued at the time of the German invasion of Norway and Denmark. The scope of the order was gradually expanded until by 1941 it covered China and Japan as well

as all the countries of continental Europe, except Turkey. A 1941 census revealed that the Treasury Department was then controlling foreign assets in the United States worth more than eight billion dollars.

A primary aim of the freezing control was to prevent nationals of the invaded countries of Europe from being despoiled and forced under duress to transfer to the Axis powers their claims to American assets. The freezing controls also served in many ways as a weapon of economic warfare to hamper the financial and commercial activities of our World War II enemies.

The elimination of restrictions on transaction and the gradual unblocking of foreign assets began shortly after the end of actual hostilities. The elimination of these controls has been handled so as to maintain the major objectives for which they were instituted. Unblocking of property has proceeded on a basis which has preserved the ability of the United States to vest assets actually belonging to enemies. The procedures now in effect for unblocking foreign assets in the United States have also been developed with a view toward assisting in the implementation of the European Recovery Program.

Proclamation on Revision of ILO Convention

The President on August 30, 1948, issued his proclamation of the Final Articles Revision Convention, 1946, which was adopted at the Twentieth Session of the International Labor Conference at Montreal on October 9, 1946. That convention is designed to revise partially the conventions adopted by the General Conference of the International Labor Organization at its first 28 sessions for the purpose of making provision for the future discharge of certain chancery functions entrusted by those conventions to the Secretary-General of the League of Nations and introducing therein certain further amendments consequential upon the dissolution of the League of Nations and the amendment of the Constitution of the International Labor Organization. The Final Articles Revision Convention, 1946, entered into force with respect to the United States on June 24, 1948, the date of deposit with the International Labor Organization of the instrument of ratification thereof on the part of the United States.

The Opportunity of the National Commission

The Assistant Secretary for public affairs George V. Allen, made an address before the UNESCO National Commission meeting which was held in Boston on September 27. For the text of Mr. Allen's address on the opportunity of the National Commission, see Department of State press release 777 of September 27, 1948.

Department of State Bulletin

Freedom of Information

STATEMENT BY SECRETARY MARSHALL¹

The theme of National Newspaper Week, "Your Right To Know Is The Key To All Your Liberties", emphasizes a fundamental freedom which our Government is actively seeking to encourage throughout the world—freedom of the people to know the truth.

Half of the world's population lives under some form of censorship today. Denied access to the facts, people in countries where censorship and government control of the press exist can base their judgments only on half-truths or false information fed to them by those in control. Censorship and press control are the first and most important steps in the subjugation of people by a dictator.

Americans should keep constantly in mind that people have lost their liberties so long as their press remains free.

It is also a vital concern of ours to see that the

barriers to the flow of information are reduced and, as far as possible, eliminated. This is an essential to the world peace which we are seeking.

Our Government is making every effort, through the United Nations, to reduce these barriers between countries. In the Commission on Human Rights, in the Economic and Social Council, in the General Assembly, at the recent Conference in Geneva on Freedom of Information, and in UNESCO, we have pressed for active consideration of freedom of information during the past 18 months. Progress has been difficult, yet it is encouraging.

A heavy responsibility rests with the press and other organs of information to aid in this important work. In their best traditions, it is for them, in the language of the United Nations, "to seek the truth without prejudice and report the facts without malicious intent".

Surplus Property Agreements on Educational Exchange With United Kingdom and New Zealand Signed

United Kingdom

The United Kingdom signed on September 22 an agreement under the Fulbright act with the United States, putting into operation the program of educational exchanges authorized by Public Law 584, Seventy-ninth Congress. The signing took place in London, with Foreign Minister Ernest Bevin representing the United Kingdom and U.S. Ambassador Lewis Douglas representing the United States. The agreement was signed in the presence of Senator J. W. Fulbright of Arkansas, sponsor of the act.

The agreement provides for a United States Educational Commission in the United Kingdom to assist in the administration of the educational program financed from certain funds resulting from the sale of surplus property to that country. The present agreement provides for an annual program of the equivalent of \$1,000,000 in British pounds for certain educational purposes. These purposes include the financing of "studies, research, instruction, and other educational activities of or for citizens of the United States of America in schools and institutions of higher

learning located in the United Kingdom or the colonial dependencies, or of the citizens of the United Kingdom and colonies in United States schools and institutions of higher learning located outside the continental United States . . . including payment for transportation, tuition, maintenance and other expenses incident to scholastic activities; or furnishing transportation for citizens of the United Kingdom and colonies who desire to attend United States schools and institutions of higher learning in the continental United States . . . whose attendance will not deprive citizens of the United States of America of an opportunity to attend such schools and institutions."

The Commission in the United Kingdom will consist of 12 members, the honorary chairman of which will be the U.S. Ambassador to the United Kingdom. The members of the Commission will include 7 citizens of the United States and 5 members from the United Kingdom and the colonial dependencies.

¹ Made on Oct. 1, 1948, in connection with observance of National Newspaper Week (Oct. 1-8, 1948), and released to the press on the same date.

New Zealand

On September 13 New Zealand also signed an agreement with the United States, under the Fulbright act.

The signing took place in Wellington, with Prime Minister Peter Fraser representing the Government of New Zealand and American Minister Robert Scotten representing the United States. It was the fifth agreement signed under the act, previous arrangements having been made with the Governments of China, Burma, the Philippines, and Greece.

The agreement with the New Zealand Government establishes the United States Educational Foundation in New Zealand to administer certain funds resulting from the sale of surplus property to that country, and provides for an annual program of at least \$115,000 in New Zealand pounds for certain educational purposes.

The Foundation in New Zealand will have an eight-man Board of Directors, the honorary chairman of which will be the principal officer in charge of the United States diplomatic mission in New Zealand. The members of the Board will be three officers of the U.S. Legation in New Zealand, two citizens of the United States resident in New Zealand, and three nationals of New Zealand, one of whom shall be prominent in the field of education.

Information about specific opportunities for American citizens to pursue study, teaching, or research in the two countries will be made public in the near future. Further inquiries about those opportunities and requests for application forms should be addressed to the following three agencies: Institute of International Education, 2 West 45th Street, New York 19, N. Y. (for graduate study); United States Office of Education, Washington 25, D.C. (for teaching in national elementary and secondary schools); and Conference Board of Associated Research Councils, 2101 Constitution Avenue, Washington 25, D.C. (for teaching at the college level, for post-doctoral research, and for teaching in American elementary and secondary schools in New Zealand and the United Kingdom and colonies).

Previous agreements have been signed with the Governments of China, Burma, the Philippines, and Greece.¹

Brazilian Cultural Leader Visits U.S.

João da Silva Monteiro, President of the Board of Directors of the União Cultural Brasil-Estados Unidos, São Paulo, Brazil, has arrived in the United States for a three months' visit under the travel-grant program of the Department of State. Mr. Monteiro will observe various aspects of the

¹ BULLETIN of Mar. 21, 1948, p. 388; Apr. 11, 1948, p. 488; and May 16, 1948, p. 654.

economic and cultural life of this country and study problems of educational exchange between Brazil and the United States. Particularly interested in rural life on small farms, he plans to spend a week on such a farm in New England as part of his visit here, gathering material for a report to be published in Brazil on "The Education and Progress of a Country Through Rural Free Delivery Service".

Mr. Monteiro has been a member of the Board of Directors of the União Cultural for six years and has served as president for the past two years. This cultural center was founded in 1938 to foster better understanding between Brazilians and North Americans. It currently enrolls over 4,000 students of English, has the largest circulating library of books in English in Brazil, and sponsors various cultural programs interpreting North American and Brazilian culture.

Brazilian Philosopher Visits U.S.

João Cruz Costa, professor of philosophy, University of São Paulo, São Paulo, Brazil, has arrived in Washington to act as Consultant for the Library of Congress and observe the work of several eastern universities. He is here under the grant-in-aid program of the Department of State at the request of the Library of Congress.

He is at present preparing for publication a study on positivism, a subject on which he is planning to do research while at the Library of Congress.

Visit of Chilean Historian

Dr. Eugenio Pereira Salas, professor of American history at the University of Chile, recently arrived in Washington, where he is to serve as visiting professor of Latin American history at the American University during the 1948 fall semester under the travel-grant program of the Department of State.

Dr. Pereira is the President of the Instituto Chileno-Norteamericano de Cultura in Santiago. This organization, a bi-national cultural society which is assisted by the Department of State, is devoted to promoting a better understanding between Chile and this country.

Language Professor To Teach in Haiti

William Leonard Schwartz, associate professor of Romanic languages at Stanford University, has left Washington to begin a six months' assignment as visiting professor of English at the University of Haiti under the travel-grant program of the Department of State.

THE FOREIGN SERVICE

Rules of Precedence Relating to Foreign Service and Government Officers¹

By virtue of the authority vested in me by section 1752 of the Revised Statutes (22 U. S. C. 132), and as President of the United States, and in the interest of the orderly conduct abroad of the foreign-affairs functions of the United States, I hereby prescribe the following rules governing precedence among officers of the Foreign Service and officers or accredited representatives of other Government agencies:

1. In the country to which he is accredited, the chief of a diplomatic mission shall take precedence over all officers or accredited representatives of other Executive Departments or establishments.

2. In the absence of the titular head of the mission, the chargé d'affaires ad interim shall take precedence over officers or accredited representatives of other Executive Departments or establishments.

3. At a diplomatic mission the officer who takes charge in the absence of the chief of mission shall always take precedence next in succession to the chief of mission: *Provided*, That unless the chief of mission is absent, such officer shall, consonant with the last sentence of section (a) of the Foreign Assistance Act of 1948 (Public Law 472, 80th Congress), and during the continuance in force of such Act, take precedence after the chief of the mission.

4. Military, naval, and air attachés shall take precedence next in succession after the counselors of embassy or legation or, at a post where the Department of State has deemed it unnecessary to assign a counselor, after the military secretary. Military, naval, and air attachés shall take precedence among themselves according to their respective grades and seniority therein.

5. Attachés who are not officers of the Foreign Service and who are not covered by section 4 shall take precedence after but after military, naval, and air attachés.

6. Officers of the Foreign Service below the rank of counselor shall take precedence among themselves as the Secretary of State may direct; but they shall take precedence after military, naval, and air attachés and attachés who are not officers of the Foreign Service, except when the provisions of section 11 hereof are applicable and such officers of the Foreign Service are also assigned as diplomatic officers.

7. Assistant military, naval, and air attachés shall take precedence next after the lowest ranking second secretary. At a post to which there is no second secretary assigned, assistant military, naval, and air attachés shall take precedence as a group among the officers of the Foreign Service of rank equivalent to second secretaries as the chief of mission may direct. Assistant military, naval, and air attachés shall take precedence among themselves according to their respective grades and seniority therein.

8. Assistant attachés who are not officers of the Foreign Service and who are not covered by section 7 shall take precedence with but after assistant military, naval, and air attachés.

9. Except as provided herein no extra precedence shall be conferred upon an Army, Naval, Marine, or Air Force officer because of his duties as attaché to a diplomatic mission.

10. At ceremonies and receptions where the members of a mission take individual position, and in the lists furnished foreign governments for inclusion in their diplomatic lists, precedence shall follow the ranking indicated in the preceding sections.

11. At ceremonies and receptions where the personnel of diplomatic missions are present as a body, the chief of mission, or chargé d'affaires ad interim, accompanied by all officers of the Foreign Service included in the diplomatic list, shall be followed next by the military, naval, and air attachés and assistant attachés, and other attachés and assistant attachés who are not officers of the Foreign Service, formed as distinct groups in the order determined by their respective grades and seniority.

12. In international conferences at which the American delegates possess plenipotentiary powers, the senior counselor of embassy or legation attached to the delegation shall take precedence immediately after the delegates, unless otherwise instructed by the Secretary of State.

13. In the districts to which they are assigned, consuls general shall take precedence with but after brigadier generals in the Army, Air Force, and Marine Corps and commodores in the Navy; consuls shall take precedence with but after colonels in the Army, Air Force, and Marine Corps and captains in the Navy; officers of the Foreign Service commissioned as vice consuls shall take precedence with but after captains in the Army, Air Force, and Marine Corps and lieutenants in the Navy.

14. Officers of the Foreign Service with the title of consul general, consul, or vice consul shall take precedence with respect to medical officers of the Public Health Service assigned to duty in American consular offices as follows: consul general before medical director; consul with but after medical director; vice consul with but after senior assistant surgeon: *Provided*, That this regulation shall not operate to give precedence to any medical officer above that of the consular officer in charge.

15. This order supersedes Executive Orders No. 8356 of March 2, 1940, and No. 8377 of March 18, 1940 (3 CFR Cum. Supp. 624, 632).

HARRY S. TRUMAN

THE WHITE HOUSE
September 14, 1948

Fifteen Hundred Persons Complete Foreign Service Examinations

[Released to the press September 30]

Approximately 1,500 young men and women in 18 cities in the United States and 70 cities abroad completed on September 30 the rigid three-day written examination which is the first step toward entrance into the Foreign Service of the United States as a Foreign Service officer.

A total of 1,960 persons were designated to take the examination, which is the second regular test to be given since the end of World War II. However, only about 1,500 of the number designated have actually presented themselves at the 88 examining offices scattered throughout the world.

The facts concerning the current examination differ in many respects from those relating to prewar examinations. For example, the number of persons examined this year is almost four times the number in 1941, the year of the last prewar

¹ Ex. Or. 9998, 14 *Fed. Reg.* 5359.

THE FOREIGN SERVICE

examination, when 440 persons took the tests. Formerly, also, the examinees tended to be clustered on the two coasts of the United States. This year, large numbers have been designated in cities in all regions of the country, 58 persons having been designated to be examined in Atlanta, 165 in Chicago, 62 in Dallas, 37 in Denver, 87 in St. Louis. In addition, 145 persons residing abroad, most of them already in the Foreign Service in other categories than Foreign Service officers, applied to take the examinations. These include 1 person at Moscow, 9 in Seoul, 13 in Berlin, 1 in Mombasa, 1 in Reykjavik, 2 in Montevideo, and 3 in Montreal.

To pass the written examination—which covers many different subjects, including international law, economics, history, government, and maritime law—the examinee must make an average grade of at least 70 percent. In prewar tests, the percentage of those taking the examination who made this grade varied from 18.6 percent to 19.7 percent. Those who pass the written tests must undergo an oral examination before being classed as eligible for appointment as a Foreign Service officer. An average grade of 80 percent on both the written and oral examinations is passing. Those making this average before the war constituted from 6.8 percent to 9.3 percent of the total designated candidates. Thus, in 1941, 440 persons took the examinations. Of that number, 77 passed the written test, and 37 passed both the written and oral examinations.

Test Program Conducted for International Health Information

The Foreign Service of the United States, in cooperation with the United States Public Health Service, is conducting a test program in the field of international health information. The test is being conducted through a Public Health attaché, Dr. Morris B. Sanders, who has been assigned to the American Embassies at Paris, Brussels, and The Hague, with residence at Paris.

Intended as an aid both to Europe and the United States, the future of the program depends upon the availability of funds and the successful development of the initial effort in harmony with the work of the World Health Organization of the United Nations, of which the United States is a member.

Dr. Sanders, a member of the United States Public Health Service Reserve and a recognized expert in problems of anesthesia and oxygen and in the field of aviation medicine, received instructions outlining the following as his duties in Europe:

1. Dissemination of United States Public Health and medical developments within assigned countries and reporting upon current developments and thinking in those countries;

2. Collection of and reporting on available information from those countries on: health conditions; current medical research and opportunities for United States research abroad; public-health administrative practices and techniques and the results; prevalence of diseases of particular interest to the United States; extent of health-insurance programs; and developments in science related to health and medicine;

3. Familiarizing himself with administrative and technique of national health services abroad;

4. Ascertaining the research programs and activities of scientific institutions and organizations in the field of health;

5. Attending and, when appropriate, participating in conferences and congresses in health and related fields;

6. Identifying himself with the public health and medical-research life of the countries of assignment.

Closing of Consular Offices and Opening of New Offices

[Released to the press September 2]

Five more American consulates and one vice consulate are being closed in a continuing streamlining of Foreign Service posts throughout the world. The posts to be closed are Tahiti, Society Islands; La Guaira, Venezuela; Cartagena, Colombia; Martinique, French West Indies; Cochabamba, Bolivia; and the combined Fort William Port Arthur post in Canada.

The closing of these six Foreign Service offices brings to 17 the number of American consular offices closed in various parts of the world since January 1, 1948. Some were closed because of a lessening of work caused by shifting world conditions, some because the volume of work did not justify their cost, some because they had been wartime emergency posts.

One, at Changchun, China, was closed for political considerations because it was in an area with few American interests and surrounded by Chinese Communist-controlled forces. Another, at Vladivostok, was closed by the United States following the shutting down of Soviet consulates in this country by the U.S.S.R.

An additional reason for the closing of these consular offices has been the necessity of utilizing budgeted funds for opening and staffing with experienced personnel new posts in areas now considered vital to American interests.

Some of those closed have been or will be supplanted by consular agents; the work of the other will be transferred to nearby offices. Thus, the volume of business to be done on behalf of United States interests by the Foreign Service should not be seriously affected.

Fourteen new Foreign Service offices were established in the fiscal year 1948 and two more—important enough to be missions, Tel Aviv, Israel, and Seoul, Korea—have been established in recent months. In addition, reports to the State Department indicate a growing need for the opening of still more American consular offices in the future, particularly in the Mediterranean area and the Near East.

The posts recently opened are sending representatives of the United States back into areas which have regained their prewar importance for our country and into regions newly important because of a wealth of strategic materials, an increase in shipping, or the establishment of new means of communications. Three—at Lahore, Tel Aviv, and Seoul—were brought into being because of the birth of new nations, Pakistan, Israel, and Korea.

The posts recently established follow:

Bergen, Norway; Bratislava, Czechoslovakia; Cebu, Philippines; Curitiba, Brazil; Dar es Salaam, Tanganyika; Elisabethville, Belgian Congo; Haifa, Palestine; Kobe, Japan; Kuala Lumpur, Malayan Union; Lahore, Pakistan; Niamey, Nigeria; Cyprus; Puerto Cortés, Honduras; Tripoli, Libya; Venice, Italy; Tel Aviv, Israel; and Seoul, Korea.

The full list of posts eliminated since January 1948, in addition to the six now in process of closing, is as follows:

Fredericton, N.B., Canada; Changchun, China; Halifax, N.B., Canada; Hull, England; Grenada, British West Indies; Port Limón, Costa Rica; Antigua, British West Indies; Plymouth, England; Sarnia, Ontario, Canada; La Ceiba, Honduras; and Vladivostok, U.S.S.R.

Disposal of Surplus Combat Matériel

A list of surplus combat matériel sold to foreign governments by the Department of State in its capacity as foreign-surplus disposal agency during April, May, June, and July 1948 and not previously reported was contained in Department of State press release 664 of August 17, 1948.

THE DEPARTMENT

Schedule of Fees by Interim Office for German Affairs¹

September 2, 1948.

Public Notice No. DA-121, effective August 10, 1948, established an Interim Office for German

October 10, 1948

Affairs in the Division of Protective Services, Office of Controls, Department of State.

The Interim Office for German Affairs is authorized to prescribe from time to time such fees as may be deemed appropriate for any services rendered. The following schedule of fees is hereby established:

NATURE OF SERVICE

Travel Document Service

Execution of application for travel document and military-entry permit-----	\$2. 00
Issuance of travel document-----	10. 00
Amendment or verification of a travel document-----	2. 00
Renewal of travel document-----	5. 00
Execution of affidavit in regard to German birth in connection with application for travel document-----	1. 00

Notarial and Other Miscellaneous Services

Administering an oath and certificate thereof-----	2. 00
Acknowledgment of a deed or power of attorney, or similar service, including one or more signatures, with certificate thereof, for each copy-----	2. 00
Certifying to official character of a notary or other official-----	2. 00
For taking depositions, executing commissions or letters rogatory, where the record of testimony including caption and certificate does not exceed 500 words (excluding punctuation)-----	2. 00
For each additional 100 words or fraction thereof--	. 50
Certifying to the correctness of a copy of, or extract from, a document, official or private-----	2. 00
Recording unofficial documents in Interim Office upon request (for every 100 words or fraction thereof)-----	1. 00
Obtaining copy of German public document (exclusive of local charges of foreign officials and certification by United States Consul)-----	2. 00

The fees received by the Interim Office for German Affairs shall be covered into the Treasury as miscellaneous receipts.

This notice shall become effective immediately upon publication in the *Federal Register*.

Approved: September 2, 1948.

For the Secretary of State.

[SEAL]

JOHN F. PEURIFOY,
Assistant Secretary.

PUBLICATIONS

Foreign Relations of the United States, 1932, Volume I, Released

[Released to the press October 2]

The Department of State on October 2 released *Foreign Relations of the United States, 1932, volume I, General*. This volume deals entirely with multilateral subjects which do not properly fall under separate country headings.

¹ 13 Fed. Reg. 5382.

PUBLICATIONS

The *Foreign Relations* record of American diplomacy for 1932 is contained in five volumes. Volume II, *The British Commonwealth, Europe, the Near East and Africa*, and volumes III and IV, *The Far East*, have already been published. Volume V, *The American Republics*, will be ready for publication in the near future.

The year 1932 is the first for which the mass of documentation in the Department files is so great that an expansion of the number of regular annual volumes to five has been necessary. The reason for this increase in diplomatic documentation is primarily the development of those international tensions which within a few years led to the outbreak of World War II.

The central problem presented in the volume now released is that of negotiations for disarmament, the subject treated in the first 574 pages of documents. Efforts of the United States, with considerable support from the British, to bring about international agreement for reduction in military forces failed of success in the face of the German demand for military equality and the French fear of disarming without other effective guarantees of security. There were warnings even then, before seizure of power by the Nazis, that the spirit which dominated Germany in 1914 was reviving, but the American Government was not in a position at that time to pledge its aid to maintain peace or security in Europe.

Efforts for an adjustment of war-debt payments are also extensively treated in this volume. Other sections contain papers on preliminaries to the London Economic Conference, the proposed economic confederation of the Danubian states, tension over the Polish Corridor and Danzig, and a number of technical and economic subjects.

A preface by the editor explains the principles which guide in the compiling and editing of *Foreign Relations*, and names the Department officers responsible for the preparation of the 1932 volumes.

Copies of *Foreign Relations of the United States*, 1932, volume I (cxv, 979 pages), may be purchased from the Superintendent of Documents, Government Printing Office, Washington, D. C., for \$3 each.

Other Publications

For sale by the Superintendent of Documents, Government Printing Office, Washington 25, D.C. Address requests direct to the Superintendent of Documents, except in the case of free publications, which may be obtained from the Department of State.

American Dead in World War II. Treaties and Other International Acts Series 1720. Pub. 3113. 10 pp. 5¢.

Agreement Between the United States and France—Signed at Paris Oct. 1, 1947; entered into force Oct. 1, 1947.

Liquidation of German Property in Sweden: Allocation of Proceeds. Treaties and Other International Acts Series 1731. Pub. 3153. 4 pp. 5¢.

Understanding Between the United States and France—Effected by exchange of notes dated at Washington July 18, 1946; entered into force July 18, 1946.

Education: Cooperative Program in Ecuador. Treaties and Other International Acts Series 1749. Pub. 3154. 24 pp. 10¢.

Agreement Between the United States and Ecuador—Extending and Modifying Agreement of Jan. 1945—Effected by exchange of notes signed at Quito Oct. 2 and Nov. 14, 1947; entered into force Nov. 14, 1947, effective from Jan. 22, 1948.

Mutual Aid Settlement. Treaties and Other International Acts Series 1750. Pub. 3192. 39 pp. 15¢.

Agreement and Exchanges of Notes Between the United States and the Netherlands—Signed at Washington May 28, 1947; entered into force May 28, 1947; and Agreement Between the United States and the Netherlands Indies—Signed at Washington May 28, 1947; entered into force May 28, 1947; and Memorandum of Arrangement Between the United States, the United Kingdom, and the Netherlands—Signed at Washington May 28, 1947; entered into force May 28, 1947.

Proceedings and Documents of the United Nations Monetary and Financial Conference. Bretton Woods, New Hampshire, July 1-22, 1944. Vol. I. International Organization and Conference Series I, 3. Pub. 2866. 1126 pp. \$3.50.

Includes principal substantive documents showing work of the three commissions of the Conference. The material in this volume outlines the procedure which led to the Articles of Agreement of both the International Monetary Fund and the International Bank for Reconstruction and Development. Vol. II will contain additional substantive documents, lists of documents and symbols, and a comprehensive index to both volumes.

Italy: Establishment of Four Power Naval Commission for Disposal of Excess Units of Italian Fleet, and Return of Soviet Union of United States and British Warships. Loan. Treaties and Other International Acts Series 1751. Pub. 3155. 6 pp. 5¢.

Protocol Between the United States, the Union of Soviet Socialist Republics, the United Kingdom, Great Britain and Northern Ireland, and France—Signed at Paris February 10, 1947; entered into force February 10, 1947.

American Dead in World War II; Sites in Italy for Establishment of Military Cemeteries. Treaties and Other International Acts Series 1743. Pub. 3183. 3 pp. 5¢.

Agreement Between the United States and Italy—Modifying the Agreement of September 13 and 26, 1945—Effected by exchange of notes dated at Washington December 18, 1947, and January 21, 1948; entered into force January 21, 1948; and Understanding Between the United States and Italy Amending the Agreement of December 18, 1947, and January 21, 1948—Effected by exchange of notes dated at Washington March 24 and April 19, 1948; entered into force April 19, 1948.

United States Educational Foundation in Greece. Treaties and Other International Acts Series 1751. Pub. 3155. 39 pp. 15¢.

Agreement Between the United States and Greece—Signed at Athens April 23, 1948; entered into force April 23, 1948.

Transport Services. Treaties and Other International Series 1753. Pub. 3198. 13 pp. 5¢.

Agreement Between the United States and Paraguay—Signed at Asunción February 28, 1947; entered into force February 16, 1948.

Production of Production and Marketing of Sugar. Treaties and Other International Acts Series 1755. Pub. 3199. 5 pp. 5¢.

Protocol Between the United States and Other Governments Prolonging the International Agreement of May 6, 1937—Signed at London August 29, 1947; ratification advised by the Senate of the United States April 28, 1948; ratified by the President of the United States May 14, 1948; ratification of the United States deposited in the Archives of the Government of the United Kingdom of Great Britain and Northern Ireland May 25, 1948; proclaimed by the President of the United States June 1, 1948; effective September 1, 1947.

Primary Obligations of Certain Persons Having Dual Nationality. Treaties and Other International Acts Series 1756. Pub. 3214. 4 pp. 5¢.

Agreement Between the United States and France—Effectuated by exchange of notes signed at Paris February 25, 1948; entered into force February 25, 1948.

Publications of the Department of State. July 1, 1948. Pub. 3219. 12 pp. Free.

A semiannual list cumulative from January 1, 1948.

Service: Transfer and Maintenance of Radio Range SCS 51 Equipment. Treaties and Other International Series 1766. Pub. 3234. 6 pp. 5¢.

Agreement Between the United States and the United Kingdom of Great Britain and Northern Ireland—Effectuated by exchange of notes signed at London May 1 and July 31, 1946; entered into force July 31, 1946.

Documents and State Papers. August 1948. Pub. 3236. 30¢.

Contains articles on freedom of the air; America's interests in Hungarian struggle for independence; and the problem of voting in the Security Council.

Economic Cooperation with France Under Public Law 80th Congress. Treaties and Other International Series 1783. Pub. 3251. 59 pp. 15¢.

Agreement Between the United States and France—Signed at Paris June 28, 1948; entered into force July 10, 1948.

Presidential Elections. Provisions of the Constitution and the United States Code. Pub. 3261. 12 pp. 5¢.

Annual Report on Human Rights. International Organization and Conference Series III, 13. Pub. 3262. 16 pp. 10¢.

Annual analysis of the accomplishments of the United Nations Commission on Human Rights through the two years of its existence showing the status of the declaration and covenant of human rights as drafted in the Commission.

Berlin Crisis: A Report on the Moscow Discussions. European and British Commonwealth Series 1. Pub. 3298. 61 pp. 20¢.

October 10, 1948

A review of the events leading to the Berlin crisis including documents showing stages of diplomatic discussion.

No Compromise on Essential Freedoms. International Organization and Conference Series III, 16. Pub. 3299. 13 pp. Free.

Address by Secretary of State, George C. Marshall, before the General Assembly of the United Nations, Paris, September 23, 1948.

THE CONGRESS

Trade Agreements Program: Testimony before the Subcommittee on Tariffs and Foreign Trade of the Committee on Ways and Means, House of Representatives, 80th Cong., 2d sess., on the Operation of the Trade Agreements Program. May 3, 4, 5, 6, 7, and 8, 1948. vi, 542 pp.

Structure of the United Nations and the Relations of the United States to the United Nations: Hearings before the Committee on Foreign Affairs, House of Representatives, 80th Cong., 2d sess. May 4, 5, 6, 7, 11, 12, 13, 14, 1948. vi, 591 pp. [indexed.]

The International Wheat Agreement: Hearings before a Subcommittee of the Committee on Foreign Relations, United States Senate, 80th Cong., 2d sess., on the ratification by the United States Government of the International Wheat Agreement. May 14, 15, and 17, 1948. iii, 226 pp. [Department of State, pp. 29-37.]

War Claims Commission: Hearings before a Subcommittee of the Committee on the Judiciary, United States Senate, 80th Cong., 2d sess., on H. R. 4044, an act to amend the Trading with the Enemy Act, as amended; to create a commission to make an inquiry and report with respect to war claims; and to provide for relief for internees in certain cases. Feb. 17, 19, Mar. 9, and May 11, 1948. iii, 256 pp. [Department of State, pp. 21-27, 223-29.]

Investigation of Questionable Trade Practices: No. 32, Hearings before the Subcommittee To Investigate Questionable Trade Practices of the Committee on Public Works, House of Representatives, 80th Cong., 2d sess., pursuant to H. Res. 403, a resolution to authorize and direct the Public Works Committee, or any subcommittee thereof, to make a study of conspiratorial or other questionable practices. Part 1, Jan. 5, 26, Feb. 26, Mar. 30, 31, Apr. 19, June 3, 4, Aug. 10, 1948. iv, 528 pp. [Department of State pp. 323-341.]

Investigation, Disposition of Surplus Property: Hearings before the Surplus Property Subcommittee of the Committee on Expenditures in the Executive Department, 80th Cong., 2d sess., pursuant to H. Res. 90 and H. Res. 100. Part 7: Hearings on exportation of surplus materials to foreign governments, leasing of aircraft by the Department of the Air Force, disposal of Lend-Lease materials originally purchased for U.S.S.R. Mar. 24 and 25, Apr. 15, 1948. iv, 124 pp. [Department of State, pp. 2095-2104, 2135-48.]

Reorganization Plan No. 1 of 1948: Hearings before the Committee on Expenditures in the Executive Department, House of Representatives, 80th Cong., 2d sess., on H. Con. Res. 131, Feb. 5, 6, and 7, 1948. iv, 332 pp.

Amending Section 32 (A) (2) of the Trading with the Enemy Act. H. Rept. 1842, 80th Cong., 2d sess., to accompany H. R. 5960. 4 pp.

Amending Section 33 of the Trading with the Enemy Act. H. Rept. 1843, 80th Cong., 2d sess., to accompany H. R. 6116. 3 pp.

Protecting the United States Against Un-American and Subversive Activities. H. Rept. 1844, 80th Cong., 2d sess., to accompany H. R. 5852. 14 pp.

Final Report on Foreign Aid of the House Select Committee on Foreign Aid, pursuant to H. Res. 296, a resolution creating a Select Committee on Foreign Aid. H. Rept. 1845, 80th Cong., 2d sess. xvi, 883 pp.

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The Department of State BULLETIN, a weekly publication compiled and edited in the Division of Publications, Office of Public Affairs, provides the public and interested agencies of the Government with information on developments in the field of foreign relations and on the work of the Department of State and the Foreign Service. The BULLETIN includes press releases on foreign policy issued by the White House and the Department, and statements and addresses made by the President and by the Secretary of State and other officers of the Department, as well as special articles on various phases of international affairs and the functions of the Department. Information is included concerning treaties and international agreements to which the United States is or may become a party and treaties of general international interest.

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THE UNITED NATIONS AND SPECIALIZED AGENCIES

Third Regular Session of the General Assembly

Discussions on Progress of U.N. in Paris

STATEMENT BY THE PRESIDENT

[Released to the press by the White House October 9]

General Marshall has returned to Washington. My request to report to me on the progress of the work of the various United Nations bodies in Paris. I had a long talk with him this morning, and again this afternoon. He gave me a detailed picture of what has been taking place in Paris, and discussed questions relating to the future course of this Government in the various matters at issue.

With regard to the report published in this morning's press concerning a possible journey of Chief Justice Vinson to Moscow, the facts are as follows: On last Tuesday, when I communicated to Secretary Marshall, I told him of my continuing great desire to see peace firmly established in the world, and of my particular concern at this time of the attitude taken by the Soviet representatives regarding the atomic problem. I said that I was wondering whether their attitude did not reflect a misunderstanding in the minds of the Soviet leaders so serious, from the standpoint of world peace in general, that we would be remiss if we left undone anything that might conceivably

serve to dispel it. I asked the Secretary whether he felt that a useful purpose would be served by sending to Moscow Chief Justice Vinson, in an effort to make the Soviet leaders understand the seriousness and sincerity of the feelings of the people of the United States about these matters. Secretary Marshall described to me the situation which we faced in Paris, and, in the light of his report and the possibilities of misunderstanding to which any unilateral action, however desirable otherwise, could lead at present, I decided not to take this step.

My talk with Secretary Marshall has been gratifying to me. I was glad to hear his report of the unity which has prevailed between ourselves and the French and British representatives in Paris in all phases of the handling of the Berlin crisis, and of the earnest efforts being made by the Security Council and the General Assembly of the United Nations to find solutions to many of the other problems which have been troubling people everywhere. I was glad to be able to assure him of the determination with which people in this country are supporting our efforts to find the road to peace.

STATEMENT BY SECRETARY MARSHALL

[Released to the press October 9]

In his press conference on October 9 Secretary of State George C. Marshall said:

The President called me home to go over with him the intimate details of what had happened in Paris. The daily events had been reported by the press. We settled on this week end as being the most convenient to both of us to get together. I did not know until I got off the plane this morning of the statements in the press regarding the attitude of Chief Justice Vinson making a direct approach to Generalissimo Stalin.

Due to his very special position in this matter, the President had been deeply concerned by the insistent attitude of the Soviet Government in the debate of the atomic problem of the last ten days. He called me late Tuesday after-

noon to a teletype conference and discussed with me the proposal of sending Justice Vinson direct to Moscow. After discussing the matter with him by teletype, the President decided it would not be advisable to take this action. The matter was then dropped. I had called to my attention in Paris and since my arrival here several statements in the press or by radio to the effect that there was a split between the President and the Secretary of State regarding important matters of foreign relations. There is no foundation for this. As a matter of fact, the policy to be followed by our Delegation in the current meeting of the United Nations General Assembly and of the Security Council was decided upon by the President before I left for Paris and has been the basis for the implementation by our delegates of the American

position in the conferences in Paris. Such statements can do no good and they certainly can do a great deal of harm and I deplore them.

"My plans at present are a little indefinite but I will probably return tomorrow night to Paris. The issues being discussed there are highly important and it is important that I be present."

Asked whether this Government had reached a position of reopening discussions of the German question with the Soviet Union, Secretary Marshall said:

"We are perfectly ready to enter into negotiations with the Council of Foreign Ministers on the Berlin question, on the German question, if provided first, the blockade is raised."

In this connection the Secretary was asked whether this willingness on the part of the United States to reopen negotiations permitted or excluded talks with the Foreign Ministers simultaneously with the lifting of the blockade. Secretary Marshall replied: "Yes, it precludes that. The blockade must be lifted before we meet."

Discussion in the Security Council of the Berlin Crisis¹

STATEMENT BY PHILIP C. JESSUP
Deputy U.S. Representative in the Security Council

[Released to the press October 8]

The United States Government has sought by peaceful means to remove the threat to peace created by the Soviet Union, which, while it remains, is the insuperable obstacle to free negotiation. Our very resort to the Security Council is a further use of the same peaceful means and is directed to the same end. The United States will be no party to encouraging or submitting to practices which would make a mockery of the Charter.

Secretary Marshall also declared in his address: "For its part, the United States is prepared to seek in every possible way, in any appropriate forum, a constructive and peaceful settlement of the political controversies which contribute to the present tension and uncertainty." I say expressly that this statement includes continued readiness of the United States to negotiate with the Soviet Government in any appropriate forum regarding any issue outstanding between it and the United States Government. The term "any appropriate forum" includes the Council of Foreign Ministers. But what we are now discussing is this barrier to negotiations—this threat to the peace created by the Soviet blockade of Berlin. The appropriate forum for discussion of the threat to peace is this Security Council. We are here to discuss it.

What constitutes a "threat to peace" as that term is used in article 39? A threat to peace is created when a state uses force or threat of force to secure

compliance with its demands. Acts of the Soviet Government in illegally obstructing by threat of force the access of three Western Powers to Berlin creates a threat to peace.

The Soviet Union may pretend it cannot understand why it can be charged with threat of force against the United States, France, and the United Kingdom when a primary consequence of its action falls directly and intentionally upon the civilian population of Berlin for whose welfare the three Western occupying powers are responsible. That an effort should be made to deprive two and one-half million men, women, and children of medicines, food, clothing, and fuel to subject them to cold and starvation and disease may seem to some a small matter. But to us, the welfare of people committed to our charge is a matter of serious concern. We cannot be callous to the suffering of millions of people in any country, much less when we have responsibility for them as an occupying power.

Today the daily living requirements of the 2,500,000 people, two thirds of the population of Berlin, are being met by the combined efforts of the British and American air forces; 250 planes are supplying the western sectors of Berlin with food, coal, and other essentials. Efforts of thousands of American and British and French men and women have been devoted to the organization and establishment of an air bridge, which, in one day, has delivered almost 7,000 tons of supplies to the land-blocked city. The Security Council, as well as the population of Berlin, may well regard the air-lift as a symbol of peace and of methods of a pacific settlement.

But the fact that the courage and ingenuity of men and women who are participating in this

¹ Excerpts from Mr. Jessup's statement made before the Security Council on Oct. 6, 1948. In this statement Mr. Jessup reviewed the development of the Berlin blockade and the breakdown of the discussions at Moscow between representatives of the Western Powers and the Soviet Union. For this material see *The Berlin Crisis, A Report of the Moscow Discussions, 1948*, Department of State publication 3298.

enduous achievement saved the people in Berlin from much of the suffering which the Soviet Government sought to enforce upon them does not mean the threat to peace is removed. The Members of the Council will recall that Marshal Sokolovsky, in an obvious attempt to counteract the air-lift, in complete disregard of the directive as interpreted by Premier Stalin himself, insisted upon new restrictions upon air transportation between Berlin and the Western zones of Germany. The Soviet Government, in a note of September 25, instead of repudiating Marshal Sokolovsky's action, added new demands that communications should be subjected to the control of the Soviet command.

Right of Rights

The United States is in Berlin as of right. The rights of the United States as a joint occupying power in Berlin derive from the total defeat and unconditional surrender of Germany. Article I of the Protocol on zones of occupation in Germany agreed by the Soviet Union in the European Advisory Commission on November 14, 1944, provides:

"I. Germany, within frontiers as were on December 31, 1937, will, for purposes of occupation, be divided into three zones, one of which will be allotted to each of three powers, and a special Berlin area, which will be under joint occupation by the three powers."

This agreement (later amended to include France) established the area of Berlin as an international enclave to be jointly occupied and administered by four powers.

The representatives of commanders-in-chief adopted, on July 7, 1945, a resolution establishing the Allied Kommandatura for administration of Berlin. The Kommandatura was to be under the direction of the chief military commandant, which post was to be held in rotation by each of four military commanders. The chief military commandant in consultation with the other commandants was to exercise administration of all Berlin matters when a question of principle and problems common to all sectors arose. In order to exercise supervision of Berlin local government, one or two representatives from each Allied command were to be attached to each section of the local German government.

Implicit in these agreements is the right of each of the four powers to free access to and egress from the greater Berlin area. Not only has this right been clearly recognized and confirmed by the Soviet Union by practice and usage for almost three years, but it has been the subject of written agreements between the respective governments as well as by their representatives in the Allied Control Council for Germany. Rights of free access were

directly specified in the message from President Truman to Premier Stalin on June 14, 1945, which agreed to withdraw back to the prescribed zonal boundaries those forces which in the course of the war had overrun part of the territory which later became the Soviet zone of occupation, provided satisfactory arrangements for free access by rail, road, and air to the forces in Berlin could be entered into between the military commanders. I quote one sentence from the Truman message:

"... As to Germany, I am ready to have instructions issued to all American troops to begin withdrawal into their own zone on June 21 in accordance with arrangements between the respective commanders, including in these arrangements simultaneous movement of the national garrisons into greater Berlin and provision of free access by air, road and rail from Frankfurt and Bremen to Berlin for United States forces."

Premier Stalin replied on June 16, 1945, accepting this plan excepting for a change in date. Premier Stalin gave assurances that all necessary measures would be taken in accordance with the plan. Correspondence in a similar sense took place between Premier Stalin and Prime Minister Churchill. Premier Stalin thus agreed that the Western occupying powers should have "free access by air, road and rail" to Berlin. Even in the Russian language, "free access" does not mean "blockade".

The four zone commanders met in Berlin on June 29, 1945, to put the agreement of the Chiefs of State into force. At this meeting it was agreed that the Western Powers would withdraw their forces from the Soviet zone and would have the use of the Helmstedt-Berlin *Autobahn* and rail routes without restriction and subject only to the normal traffic regulations of the Soviet zone. In reply to a question from General Clay, Marshal Zhukov, the Soviet commander, stated: "It will be necessary for vehicles to be governed by Russian road signs, military police, document checking, but no inspection of cargo—the Soviets are not interested in what is being hauled, how much or how many trucks are moving." In accordance with this understanding, the United States, whose armed forces had penetrated deep into lands of Saxony and Thuringia, in the Soviet zone, withdrew its forces to its zone. Simultaneously, United States garrisoning forces took up their position in Berlin.

The right of the United States to be in Berlin thus stems from the same source as the right of the Soviet Union. Rights of occupying powers are co-equal as to freedom of access, occupation, and administration of the area.

Confirmation by Agreements and Usage

It clearly results from these undertakings that Berlin is not a part of the Soviet zone of occupa-

tion, but is, by express agreement, an international enclave. Commitments entered into in good faith by the commanders of the four zones of occupation, agreements reached by the Allied Control Authority in Germany, as well as uncontested usage, have recognized basic rights of the United States in the joint administration of Berlin and rights of freedom of access thereto for the purpose of fulfilling United States obligations and responsibilities as an occupying power.

Since July 7, 1945, it agreed that supplies necessary for the welfare of the people of Berlin were a joint responsibility of the four powers. There have been a series of quadripartite agreements entered into between July 1945 and April 1948 for the joint provision of food, solid fuels and electric power, and medical supplies.

All agreements, of course, carried with them the right of access to permit the Western occupying powers to bring their share of supplies to Berlin.

Pursuant to agreement in the Control Council establishing train paths, military trains regularly traversed the Helmstedt-Berlin train route. There was no inspection by Soviet authorities and no Soviet permit was required for outgoing shipments from the Berlin area. Proof of identity through proper documentation was sufficient to comply with traffic regulations, which during this period were reasonable and were fully accepted by the Western Powers. Similarly, personnel of the United States Military Forces and other United States officials traveled freely by train or motorcar over the rail and *Autobahn* routes from Berlin to Helmstedt without Soviet visa.

Air corridors were established between the Western zones and Berlin with unrestricted flight, subject, of course, to safety regulations. Three such corridors were established in November 1945 by Four Power agreement in the Allied Control Council to augment the single provisional corridor agreed to in the meeting of the Allied Commanders-in-Chief on July 7, 1945. In December 1945 uniform safety regulations were adopted in these corridors, under which aircraft have operated continuously since that date. These regulations were reaffirmed by publication on October 22, 1946, of the agreed second revision of these flight rules. In practice, military and civilian airline aircraft of the three Western Powers used the corridors for unlimited flight without notification to Soviet authorities.

Bilateral agreements were made by British and Soviet authorities concerning barge traffic between their two zones. Quadripartite arrangements concerning postal traffic, telecommunications and movement of Germans between the Western zones and Berlin were concurred in, and carried out satisfactorily, prior to institution by the Soviet Union of blockade measures.

There can thus be no question of the legal basis

for United States rights to free access to Berlin or recognition of these rights by the Soviet Union.

Regulation of Traffic

The United States maintains its basic jurisdiction of free access to Berlin. These are clearly established and recognized by the Soviet Government. As every reasonable and practical person knows, rail, road, barge, and air traffic must be subject to some degree of regulation. Let me repeat the statement of Marshal Zhukov on June 24, 1945:

"It will be necessary for vehicles to be governed by Russian road signs, military police, and customs checks, but no inspection of cargo. The Soviets not interested in what is being hauled, much or how many trucks are moving."

The United States agreed to this position and we still agree. We do not assert freedom of access means absence of reasonable regulations, but any such restriction cannot be distorted to mean imposition of restrictions to the point where the principle of free access is completely strangled. The United States will not permit the Soviet Government to use the agreed principle of reasonable regulation as a measure to cloak the threat of force designed to force the United States to abandon Berlin to single domination and rule by the Soviet Union.

Development of the Berlin Blockade

When the three Western Powers on July 14, 1948, formally protested in Moscow against the blockade, the Soviet Government's reply of July 14 contained no reference to the previous Soviet explanation that the blockade measures were due to "technical difficulties". Rather it openly admitted the blockade was in effect retaliation against actions of the Western Powers in their own occupied zones of Germany, emphasizing in this connection the currency reform of the Western zones. For the first time, and in direct conflict with agreements to the contrary, the Soviet Government put forward the claim that Berlin "is a part of the Soviet zone of Germany. The Soviet Government ended with the contention that Berlin problems were inseparably linked with questions involving the whole of Germany and negotiations would be effective only if they encompassed the entire German situation. Moreover, the Soviet Government refused to permit the restoration of lines of communication between the Western zones and Berlin, which restoration was declared by the United States Government to be a prerequisite for negotiations.

Finally, the hollowness of various Soviet texts for imposition of the Berlin blockade was completely exposed at the recent meetings of four military governors when, in total disregard of the directive agreed upon in Moscow, the Soviet Government demanded measures of permanent control of

fic between Berlin and the West, measures to be continued even after Western zone currency would have been removed from Berlin. The Soviet note of September 22 reinforced this demand and thus gave final proof, if any were needed, that Soviet blockade measures are designed to force the three Western Powers to abandon under duress their rightful position in Berlin.

Soviet Attacks on Berlin Municipal Institutions

In addition to the blockade, the Soviet Government, to the same end, resorted to other measures of duress against the Western Powers by attempting to undermine and sabotage the lawfully constituted city government of Berlin. This government had been formed in accordance with the temporary constitution of Berlin—an instrument approved by the Allied Control Authority.

United States licensed German publications were repeatedly confiscated by German Soviet sector police in direct violation of Control Council directive number 55. The Soviet licensed press in Berlin, which of course prints only items approved by the Soviet authorities, became more strident in attacks on the Western Powers and the elected city government of Berlin.

Perhaps most serious, Soviet authorities condoned and encouraged public disorders in the Soviet sector of Berlin.

Discussions With Soviet Government

Indeed, since the very beginning of the Soviet imposition of the illegal blockade, the United States Government has made direct, repeated, and persistent efforts to adjust with the Soviet Government the dangerous situation in Berlin.

These efforts were made to obtain the lifting of the blockade which has created a threat to peace which the Security Council is now considering.

To achieve this objective, the United States Government was prepared, and is still prepared, to work out in good faith practical arrangements which would permit the introduction of the German mark of the Soviet zone, under appropriate four Power control, as the single currency for Berlin. However, it was not and is not willing to yield its rights and obligations regarding Berlin or Germany under coercive pressure of the Soviet blockade. It was made clear that the removal of this coercive pressure would open the door to negotiations on other outstanding issues regarding Berlin. This was repeatedly expressed, and it is the policy of the United States Government.

The course of the negotiations in Berlin was characterized by the failure of the Soviet military governor to abide by the understandings reached in Moscow.

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He proposed new restrictions on transport by demanding that air traffic be limited to supplying the needs of the occupation forces in Berlin. No such restriction heretofore existed or was ever agreed to. The Directive to the four military governors called for the removal of all restrictions, not the imposition of new ones.

On September 22, the three Western Governments sent identical notes to the Soviet Government in which they set forth their final position on three issues of principle. In view of the manifest unwillingness of the Soviet authorities to carry out the agreement reached in Moscow, the three Western Governments also called upon the Soviet Government to lift the blockade and to specify the date on which that would be done. The illegal blockade had been then imposed for over three months. Further talk was obviously pointless. Action by the Soviet Union to cease its attempt to induce compliance by duress was essential.

The Soviet Government made its unsatisfactory reply on September 25. It went even further than Marshal Sokolovsky in demanding control by the Soviet military command over air traffic between Berlin and the West.

Role of the Security Council

The salient feature of the case before the Security Council is that the Soviet blockade is still maintained and thus continues in existence a threat to the peace which it created.

That is the reason why this case has been brought before the Council as a threat to peace within the meaning of chapter VII of the Charter. Considering the circumstances which confront us it would have been disingenuous to call the blockade and its actual, as well as its potential, consequences by any other name.

However, the fact that this matter comes before the Council under chapter VII of the Charter does not mean the Council is precluded from using any of the machinery of pacific settlement suggested in any part of the Charter. In this case, as in all cases that come before it, the Security Council has the greatest flexibility of action in order to carry out the primary responsibility conferred upon it for maintenance of peace.

Mr. President, we do not bring this case to the Security Council with any cut-and-dried formula for its solution. It is our hope the Security Council can assist in removing the threat to peace. Nothing which has happened has changed our position on that point. The moment that the blockade is lifted, the United States is ready to have an immediate meeting of the Council of Foreign Ministers to discuss with the Soviet Union any questions relating to Germany.

First Congress of the International Theatre Institute

BY ROSAMOND GILDER

The International Theatre Institute came into official existence on July 1, 1948. This important event in world theater was the outcome of more than two years' work on the part of a large number of theater workers in more than twenty countries. Encouraged and assisted by the United Nations Educational, Scientific and Cultural Organization (UNESCO), theater experts from Europe, Asia, the United Kingdom, and North and South America had met at Paris, France, in the summer of 1947 and had laid the foundation of a structure which is planned as a permanent world-wide autonomous organization serving, sustaining, and developing the theater in every country of the globe.

The concept has its basis in the conviction that the artists of the world speak a common language and can serve as valuable agents in obtaining mutual understanding and good will among nations. As early as November 1946, the creation of a permanent International Institute was envisaged by UNESCO's committees. The project had been carried to completion by UNESCO, not only by the calling of the experts' meeting in 1947 and the Congress in 1948, but by the untiring efforts of the theater section of UNESCO's Paris secretariat where there has been a permanent focus of continuing activity through the past two years. Today, as a result of UNESCO's efforts, the theaters of the world have a well-organized international body which every country capable of setting up a national center within its own borders is invited to join. It has a program of activities, immediate and long-range, an active executive committee and, by January 1, 1949, it will have a home of its own. UNESCO, having fostered this new international body, will, it is confidently expected, continue to assist it for the next few years. In the meanwhile, the Institute will build up its own resources, increase its membership, and become a force in "promoting international exchange in the knowledge and practice of the arts", as its constitution succinctly states.

Twenty countries were represented at the First International Theatre Congress of the International Theatre Institute which was held at Praha, Czechoslovakia, from June 28 to July 3, 1948. These were Australia, Austria, Belgium, Canada, China, Czechoslovakia, Denmark, Egypt, Finland, France, Hungary, the Netherlands, Norway, Poland, Sweden, Switzerland, the Union of South Africa, the United Kingdom, the United States, and Yugoslavia. After a formal opening session

at which the host country was represented by the Minister of Foreign Affairs and the Minister of Education, and speeches were made by Julius Huxley, Director General of UNESCO, Jindřich Honzl, director of the National Theatre and head of the Czechoslovak Delegation, and J. B. Priestley, the British playwright who had been chairman of the interim committee, the delegates went into plenary session and elected Mr. Priestley president of the Congress.

Five days were none too long for the three major subcommittees into which the Congress resolved itself to accomplish their tasks. The Committee on Organization, headed by Emil Oprecht of Switzerland, guided the draft charter through its last phases and untangled the various organizational snarls. The Committee on the Exchange of Companies, under the chairmanship of Dr. Arno Szyfman of Poland, worked out ways and means to smooth the path of theater groups planning international tours. The Committee on Information, presided over by Dr. Yui Shang-Yuen of China and Mlle. Jeanne Laurent of the French Ministry of Education, made a host of decisions leading to the immediate establishment of an information bulletin and other publications.

When the Congress met in final plenary session on July 1, the following countries, represented by delegates of fully established national centers, voted to join the International Theatre Institute into being: Austria, Belgium, China, Czechoslovakia, France, Poland, Switzerland, and the United Kingdom. An Executive Committee was elected of which Arman Salacrou, the French playwright, is president, and the other members are Erich Nikowitz, Austrian actor and director; Maurice Huisman, director of the Belgium National Theatre; S. Hsuing, Chinese author and playwright; Jindřich Honzl, director of the National Theatre, Praha; Richard Ordynski, Polish director-designer; Llewellyn Rees, drama director of the Arts Council of Great Britain; and Emil Oprecht, president of the Association of Swiss Theatre Directors. The Executive Committee at its first meeting decided on Paris as the temporary headquarters of the International Theatre Institute and named Maurice Kurtz as secretary general, the appointment to take effect when the Institute moves to its own quarters in January 1949. It also appointed an Editorial Committee of four—Rosamond Gilder, René Hainaux, Emil Oprecht, and Kenneth Rae—to work out details of the information

tion bulletin which will appear this year and to plan for future publications.

The United States was represented at the Praha Congress by an observer delegation of three. Two of the delegates, Rosamond Gilder and Warren Caro, were nominated by the Department of State while Clarence Derwent, president of Actors' Equity, represented the American National Theatre and Academy. The American delegates were active on all the committees. Two of them, Miss Gilder and Mr. Derwent, had attended the meeting of experts at Paris in 1947 and had taken part in the formulation of the program and in the drafting of the charter. The United Kingdom sent a large delegation representing its newly founded National Centre. Like the national centers of France, Belgium, and other countries, the British Centre was officially organized by the Ministry of Education and is supported and financed by the British Council and the Arts Council, both of which operate under government subsidies. It has enlisted the cooperation of such nongovernmental agencies as the British Equity and the League of British Dramatists and has set up headquarters in the office of the Joint Council of the National Theatre and the Old Vic. The French Centre also has the official and financial backing of the Ministry of Education and the Ministry of Foreign Affairs and has likewise secured the cooperation of independent artists' groups and unions. The Czechoslovak Centre shows a slightly different organizational pattern in that it is entirely under the direction of the government Ministries of Education and Information.

The United States Center, which has already been established under the joint chairmanship of Clarence Derwent, president of Actors' Equity, and Moss Hart, president of the Dramatists' Guild, will necessarily have a different form. It must be supported by private funds as no government agency exists to give it backing. However, the center does have the backing of the American National Theatre and Academy which holds a charter from the Congress of the United States. The United States Center of the International Theatre Institute is, as it were, the foreign-affairs branch of the American National Theatre and Academy. It has a separate committee of its own representing all the theater unions and important national groups, professional and nonprofessional. Its offices at 63 West 44th Street in New York

City, it has already undertaken the duties indicated in the International Theatre Institute charter: it has published a mimeographed *International News Bulletin*, acted as friend and adviser to traveling theater students and workers, established contact with the International Office at Paris and with other national centers in Europe and elsewhere. In addition, it serves as the advisory panel on dramatic arts for the United States National Commission of UNESCO. As soon as the delegates to the First Congress can report to the Committee of the United States Center and to the American National Theatre and Academy and can secure the funds necessary for the United States share of the International Office of the Institute, the American theater should take its place as an active and forceful member of this world movement.

Of what value is the International Theatre Institute to the theater as a whole? This is a practical question that J. B. Priestley, the most practical of idealists, can best answer. In his preface to the International Theatre Institute report, he says that the International Theatre Institute—"will collect and then distribute a great deal of valuable information: about new plays and productions in all countries concerned; about the stage dimensions, technical resources, seating capacities of the chief playhouses in all these countries; about copyright laws, censorship regulations, methods of payment and employment in its member countries. Again it will try to remove the various obstacles that prevent the successful exchange of theatrical companies, to improve transport arrangements for companies touring abroad, to break through the walls of currency regulations and customs dues.

"Then, when the Institute is firmly established and has linked the theatre folk of all nations, it can proceed to organize festivals and exhibitions, produce a journal in several languages, create theatrical scholarships and fellowships, advise the newer countries on the organization of good theatres, and do everything possible (without acting as financial manager) to assist distinguished theatrical companies to cross frontiers, and, if necessary, tour the wide world itself. Finally, the annual Congress of the Institute will enable theatrical workers in all countries to meet and exchange ideas and plan joint action."

In all of this it is quite evident that the American theater has much both to give and to receive.

The United States in the United Nations

Atomic Energy

The atomic issue was referred last week to an 11-nation subcommittee of Committee 1 with instructions to study and report on all resolutions on the question.¹ On October 12 the subcommittee, the Soviet Union and the Ukraine dissenting, adopted and sent to the full Committee an amended Canadian resolution accepting as the basis for future work the control plan of the U. N. Atomic Commission but leaving further detailed work in suspension until the Soviet opposition is modified.

On October 15 Mr. Osborn during a meeting of the disarmament subcommittee of Committee 1 called upon the Soviet Delegation to show by answering four specific questions whether or not its proposal for major power disarmament is sincere. He asked Jacob Malik, the Soviet Delegate, the following questions:

First, whether Soviet leaders would disavow expansionism by disbanding their Communist fifth columns in countries all over the world.

Second, whether the U.S.S.R. would disavow the use of the veto in implementing inspection and control of armaments by an international agency.

Third, whether the iron curtain would be withdrawn so that the world could know what is going on in the Soviet Union and thus be relieved of fears growing out of Soviet secretiveness.

Finally, "Is there not a certain effrontery in the Soviet Union presenting to this body such a resolution in the name of a dictatorship which Premier Stalin himself has described as one based on violence and not on law?"

The Berlin Situation

On October 15 the Security Council resumed its consideration of the Berlin question, which the Western powers charge is threatening world peace and security.

Acting Council President Juan A. Bramuglia of Argentina, on behalf of the six neutral nations of the Council that are attempting to compose the differences between the Western powers and the Soviet Union, asked the four powers concerned for additional information regarding the Berlin blockade.

"Firstly", he said, "we request the representatives of the United States, the United Kingdom, France, and the U.S.S.R. to explain the initial imposition of restrictions upon communications, transport, or commerce between Western Germany and the Soviet zones, the details of and the present

¹ Including those of Canada, the Soviet Union, Syria, and Australia. See U. N. doc. A/C.1/317, Oct. 7, 1948.

status of the restrictions. Secondly, we request them to kindly explain the agreement involved in the instructions given to the military governors of the four powers in Berlin, and to give the detailed reasons that prevented their implementation."

The three Western powers promised to submit careful and comprehensive answers. Mr. Vyshinsky refused to cooperate.

Support of ERP

The Norwegian and Netherlands Delegates to the United Nations on October 13 defended the European Recovery Program against Soviet attacks. Speaking before the Economic and Financial Committee, Finn Moe, of Norway, credited the program with having staved off a European depression and started Europe on its way to recovery.

C. L. Patijn, of the Netherlands, said that the program "has given us firm ground under our feet for the first time in Europe's history." He also noted that the Polish Delegate had spoken of economic degradation instead of the promise of prosperity. "The truth", he said, "is that the production of the 16 countries is showing a marked increase both in agriculture and industry." Dr. Patijn stated that the Soviet Union should "hear how the vast masses of our workers speak with deep understanding of the Marshall Plan objectives and awareness of leaders that without it the standard of living of the workers would decline 20 percent."

Mr. Moe said that it was interesting that the critics of the Recovery Program had no other solution for Europe's economic ills.

On October 15 the French and British Delegates Paul Ramadier and W. Glenville Hall, defended the European Recovery Program against Soviet charges. Mr. Ramadier said that ERP is not "a form of economic slavery but an invitation to knit the ties that bind together all of Europe."

Genocide

The United States on October 14 called for the inclusion of political groups among those to be protected under the proposed United Nations convention on genocide. It asked the Soviet Delegation for a "complete and frank explanation" for the Soviet reversal in the matter.

Ernest Gross, of the U. S. Delegation, told the Legal Committee that the United States sees no valid reasons for disregarding the Assembly's resolution of November 11, 1946, and that "provision for protecting political groups from extermination should be retained in the convention."

The Legal Committee on October 15 voted 20 to 13 to include protection for political groups in the draft convention.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

Second Meeting of Wool Study Group

From October 4 to October 6, representatives from Argentina, Australia, Belgium, Canada, Cuba, Czechoslovakia, Dominican Republic, Egypt, Eire, Finland, France, Iceland, India, Italy, Netherlands, New Zealand, Pakistan, Poland, Switzerland, Turkey, Union of South Africa, United States, United Kingdom, Yugoslavia, together with observers from the United Nations, the Food and Agriculture Organization, and the United Kingdom Dominion Wool Disposals, Limited, have participated in the second meeting of the Wool Study Group.

The study group have reviewed changes which have taken place in the world apparel wool situation, since the first meeting in April 1947 which continued a survey begun by the International Wool Conference in November 1946. They have heard statements from different delegations about the position in their respective countries, with special reference to any problems arising therein and to any matters of international interest.

The group have noted with satisfaction that estimated world stocks of apparel wool at June 30, 1949 (about 2,750 million pounds greasy weight), will be no more than two thirds of June 1947; and that about 75 percent of these stocks will be held commercially, as compared with 55 percent in June 1947. Stocks of wool in governmental ownership at June 30, 1949, are expected to be no more than 660 million pounds or about 22 percent of the current annual rate of production. The group estimated the world stocks of apparel wool June 30, 1948, at 3,551 million pounds greasy weight, of which 1,172 million pounds are held by governments and 2,379 held commercially. Stocks held by joint organization have dropped from about 1,350 million pounds at June 30, 1947, to 1,029 million pounds at June 30, 1948. Stocks

held by the Commodity Credit Corporation have dropped from 541 million pounds at October 1, 1946, to less than 100 million pounds by the end of August 1948.

While the group noted that there will be an estimated excess consumption (3,755 million pounds) over production (2,965 million pounds) in 1948-49 of 27 percent (790 million pounds), it was remarked that current excess visible consumption over production was partly due to filling up pipelines, especially in Europe, which might be regarded as practically completed now. Several producing countries indicated that their production had declined, but the group were reassured by indications from others (and from Australia in particular) of probable upward trend of production in future. It was estimated that the total world wool production in 1948-49 was likely to be between 2 and 3 percent better than in the preceding year, while numbers of sheep in Australia, which were 102 million in 1947, were estimated at 104-105 million in 1948.

The group considered there was no immediate problem in the solution of which international governmental action was at present necessary or desirable.

The group also commented on the rise of prices in wool since April 1947 and on the difference between considerable rise in price of fine wools as opposed to the less significant rise in price of lower grades. It was noticed, however, that there was already a tendency to reduce the call on supplies of high grade merino wools by an increase in consumption of lower grades. This is already having effects on prices.

Finally the group agreed to continue to meet from time to time in the present form in order to review the world wool position.

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Providing for Membership and Participation by the United States in the World Health Organization. H. Rept. 2197, to accompany H. J. Res. 409, 80th Cong., 2d sess. 5 pp.

World Health Organization. H. Rept. 2197, to accompany S. J. Res. 98, 80th Cong., 2d sess. 5 pp.

Foreign Aid Appropriation Bill, 1949. H. Rept. 2173, to accompany H. R. 6801, 80th Cong., 2d sess. 11 pp.

Making Appropriations for Foreign Aid. H. Rept. 2440, to accompany H. R. 6801, 80th Cong., 2d sess. 10 pp.

Fuel Investigation. Current Petroleum Outlook. Progress Report of the Committee on Interstate and Foreign Commerce. H. Rept. 2460, 80th Cong., 2d sess. ii, 60 pp.

Report on Audit of Export-Import Bank of Washington, submitted from Comptroller General of the United States transmitting a report on the audit of Export-Import Bank

of Washington for the fiscal year ended June 30, 1947. H. Doc. 641, 80th Cong., 2d sess. v, 19 pp., with 5 schedules.

Twelfth Report to Congress on Operations of UNRRA. Message from the President of the United States transmitting the Twelfth Quarterly Report of Expenditures and Operations Under the United Nations Relief and Rehabilitation Administration covering the period from Apr. 1, 1947, to June 30, 1947. H. Doc. 686, 80th Cong., 2d sess. iii, 56 pp.

Urgent Needs of the American People. Address of the President of the United States delivered before a joint session of the Senate and the House of Representatives, recommending legislation to check inflation and the rising cost of living and to meet the acute housing shortage. H. Doc. 734, 80th Cong., 2d sess. 6 pp. [July 27, 1948.]

October 17, 1948

THE RECORD OF THE WEEK

Asia Today¹

BY W. WALTON BUTTERWORTH

Director, Office of Far Eastern Affairs

Asia today presents a radically different picture from that which we knew only a few years ago. In addition to the economic dislocations and damage brought about by the war in the Pacific, that war unleashed strong forces, the eventual workings of which it is extremely difficult to foresee. The most readily discernible force at work today in Asia is nationalism. Its expression has been marked by such milestones as the ending of extraterritoriality in China, the establishment of independence for the Philippines and Burma and, within the British Commonwealth, for India and Pakistan and Ceylon, and the Linggadjati and Renville agreements for the establishment of a United States of Indonesia. The peoples of Asia are moving, sometimes rapidly, sometimes slowly, towards a position of full and mature responsibility for their own affairs. The political emergence of the countries of Asia has and will continue to make them increasingly important to the rest of the world. The picture is complicated, however, by other forces which have arisen in the wake of nationalism, taking advantage of the political cross currents and vacuums which often accompany its initial expression. These forces, outstanding among which is the Communist movement, often identify themselves with nationalism or cloak themselves by exploiting, sometimes with great effectiveness, the deep-seated economic and political maladjustments of Asia.

The working of these forces make for a highly fluid and largely unpredictable situation in Asia today. However, there are several important factors in the present situation that should be borne in mind in any consideration of present and future economic relations between Asia and the rest of the world. My references to these basic factors will necessarily be greatly oversimplified.

The first factor, to which I have already drawn attention, is that political unrest is a natural consequence of rapid transition from colonial dependency, or partial domination, to independence. This political unrest results either from the sharp

conflicts of interest between colonial powers and nationalist forces, or from the exploitation of cultural differences or economic ills for purposes of aggrandizement. Such exploitation has within it the seeds of political and economic calamity if the new nationalist government does not possess sufficient vitality, popular support, and administrative efficiency to ride out the storm. Organized exploitation of political unrest by Communism is the greatest single menace in the Asiatic situation. Just prior to the recent Communist-instigated uprisings in Java, the Department issued a statement relating to southeast Asia² which read, in part, as follows:

"To win support and allies in their drive for power, Communist leaders have consistently pretended to champion the cause of local nationalists and have attempted to identify communism with nationalism in the minds of the people of the area. This scheme worked well, at least until the Cominform's denunciation of the Yugoslav Communist leaders as being, among other things, guilty of nationalism. There is some evidence that sincere nationalist leaders in southeast Asia, originally deceived by this device, have now awakened to the fact that, in Communist-controlled states outside the Soviet Union, the nationalism to which they aspire is regarded as a high crime and grounds for ruthless interference in the internal affairs of such states by international Communist organizations."

A second "factor" is a logical corollary of the first. It is simply that economic recovery and development in most Asiatic countries has been and may for some time be impeded by continuing political unrest and conflict. The serious balance-of-payments deficits which confront many Asiatic countries could be improved somewhat by economic remedies, but prewar levels of economic activity cannot be approached until the more immediate political conflicts which are stifling production and trade are resolved. In Indonesia, for example, there is little incentive for the investment of capital in productive enterprise or for the release of inventories for consumption or export until it is evident that the principal factors of production may be estimated with a reasonable degree of accuracy. This cannot be expected until a

¹ Address delivered at the Far East and India Trade Conference of the Far East-America Council of Commerce and Industry, Inc., in New York, N. Y., on Oct. 6, 1948, and released to the press on October 8, 1948.

² BULLETIN of Sept. 26, 1948, p. 410.

able arrangement between the nationalist forces of Indonesia and the Netherlands has been achieved.

My third observation relates more to the long-range future. The countries of Asia desire substantial expansion of their industrial, transportation, power, and agricultural facilities. There are obvious advantages to both Asia and the rest of the world in a sound development of Asia's human and natural resources, and in a significantly increased standard of living for Asiatic peoples. However, in viewing the possibilities for such progress, we should not ignore a basic economic and social characteristic of important areas of Asia. This characteristic is Asia's serious overpopulation in relation to its existing resources and productivity and the natural tendency of the population, with a high birth rate, to increase whenever economic gains permit it to do so. If this tendency continues, there will be great difficulty for many Asiatic countries in producing more than is needed for current consumption and the accumulation of domestic capital will be, at best, a slow process. Since foreign capital usually can be put to use only if supplemented by a substantial quantity of domestic capital, it is thus apparent that there are certain limitations on the extent to which foreign capital can be expected to assist effectively in the economic development of Asiatic countries. One may conclude that, in so far as political instability in Asia results from low standards of living, such instability will not be easily and quickly overcome by the progress of industrialization. Perhaps it can be kept within bounds over the long run if the governments of Asiatic countries place at least as much emphasis on social and political reform in the interest of the agricultural population as they do on technical progress.

The importance of Asia today is not minimized by a frank recognition of the difficulties inherent in the situation. Indeed, the first step in meeting these difficulties is in understanding them. While it is true that we cannot expect business as usual

in Asia over the next few, predictable years, there is hope, I feel, that in the long run the basic economic needs of the various Asiatic countries will increasingly assert themselves, and that this factor may result in the restoration and expansion of trading relations among the countries of Asia and between Asia and the rest of the world.

Because of the general absence of large-scale industrial development in Asia, wartime damage to capital equipment was minor relative to that in Europe. Consequently, economic recovery to prewar levels of activity could be attained rapidly in most Asiatic countries largely through their own efforts and with relatively little capital expenditure if present political obstacles were overcome and if the rest of the world continues to provide an effective demand for Asia's products.

Importance must be attached, of course, to the revival of such natural trade relations as exist among Asiatic countries and to the possibilities for a gradual expansion of this trade. The major long-run economic task of Asia, however, is the new development of its agricultural and industrial resources at a rate consistent with the availability of domestic and foreign capital and with the level of technical and administrative skills in the area.

In this connection, the position of the United States as the leading exporting and creditor nation of the world should lead to increasingly significant economic relations between the United States and Asiatic countries. American commerce and industry will, of course, continue to have an active interest in Asia as a source of supply and as a market. But the growing importance of economic recovery and of the development of agricultural and industrial resources of Asiatic countries will confront the United States with the problem of how its resources can be made available to those countries in the required volume.

As Ambassador Grady explained so lucidly before the Economic Commission for Asia and the Far East in India last June, even if conditions were favorable to large government loans, such loans would fall far short of the magnitude of Asia's capital requirements. Consequently, he pointed out, it is necessary that Asiatic countries maximize the use of private foreign capital. I recommend Ambassador Grady's statement as a persuasive exposition of the importance of direct foreign investment, with particular reference to the important historical role of foreign capital, chiefly British and American, in the industrial development of the United States and Canada without infringement of national sovereignty. I am sure that private American capital is available for investment in Asia, but only if the countries of that area desire it. Such a desire, if it is to be realized, must of course be expressed by the creation of conditions which give prospect of reasonable treatment and return for foreign capital.

The stringent economic conditions under which Asiatic countries must continue their efforts towards recovery and development also make it a vital necessity that trade and investment be conducted with the greatest possible economy. Importers should be free to purchase in the readiest and cheapest market; exports should be pushed in whatever market can offer the best price in terms of real value; investment should be directed into industries which over the long run can compete successfully in the world market without costly subsidy. This is merely a restatement in plain language of certain basic economic principles, essentially those embodied in the draft charter for an International Trade Organization.

The Eca is attempting to give expression to those principles in the administration of its China

program. It has arranged that the "project engineer" for each enterprise scheduled to receive United States aid for replacement or reconstruction goods represent its client in seeking out the best prices and deliveries obtainable in today's world markets. Mr. Stillman of the Eca Mission in China, and his Chinese associates, should be commended for the formulation of this procedure, for it not only should insure the greatest return for Eca funds in China, but also should encourage the reestablishment of multilateral trade.

It would seem self-evident from the foregoing that the economic reconstruction of the countries of Asia can proceed at a significant pace only with the progressive resolution of the political problems besetting the area. Unless these problems be resolved, the requisite stability cannot evolve. The Department of State, without undertaking the role of a political Atlas for all the world, has tried and is trying to make its full contribution to the resolution of the essential political conflicts throughout Asia. The extent to which those efforts have met with success and failure are, I believe, known to you all. Necessarily related to the political efforts of the United States is the substantial economic assistance which this Government has extended to certain Asiatic countries. Such assistance is being supplemented by allocations for Asia from the funds appropriated by Congress for European economic recovery. The contribution which the United States Government economic aid can make will depend in part on the role of American business in carrying out expeditiously the procurement and distribution aspects of our aid programs. Over the long run, economic recovery and development in Asia will depend in substantial measure upon the contribution which American industry and finance can make as political conditions permit. Basically, however, United States assistance, both public and private, can, at best, be small in relation to the effort which must be made by the governments and peoples of the countries of Asia to help themselves if they are to attain the success that all of us wish for them.

Information on Improper Treatment of Americans Detained in Hungary

[Released to the press October 7]

Paul Ruedemann and George Bannantine, American officials of MAORT whose release from custody by the Hungarian authorities was the subject of an announcement by the Department of State on September 27, 1948,¹ have now returned to this country. Supplementary information, which they have already made known to the press, is available concerning the circumstances of their recent detention.

¹ BULLETIN of Oct. 10, 1948, p. 469.

With regard to the so-called "confessions" which have been attributed to them by the Hungarian authorities, Mr. Ruedemann and Mr. Bannantine have affirmed that these statements were in fact, prepared by the Hungarian police, that the contents of the documents are wholly false and that they copied and signed these "confessions" only under duress. The two men were placed separately in solitary confinement in underground cells for the first four days and were subjected to long periods of questioning at all hours of the day and night. On various occasions they were required to stand with their faces against the wall and arms upraised until they collapsed. During this time, they were permitted very little food and sleep.

The arbitrary detention of these American citizens, the unfounded allegations made against them, and the improper treatment which they received while in custody are characteristic of the methods employed by police states, where the rights and dignity of the individual are, in practice, ignored.

Military Mission Agreement With Argentina

[Released to the press October 6]

There was signed on October 6, 1948, by Robert A. Lovett, Acting Secretary of State, and Dr. Jerónimo Remorino, Argentine Ambassador to the United States, an agreement providing for the detail of officers and enlisted men of the United States Army as an advisory mission to serve in Argentina. The agreement is to continue in force for four years from the date of signature, but may be extended beyond that period at the request of the Government of Argentina.

The provisions of the agreement are similar to those contained in numerous other agreements between the United States and certain other American republics providing for the detail of officers and enlisted men of the United States Army, Navy, Air Force, or Marine Corps to advise the armed forces of those countries. The provisions relate to the duties, rank, and precedence of the personnel of the mission, the travel accommodations to be provided for the members of the mission and their families, and other related matters.

THE CONGRESS

Aid to China. Message from the President of the United States transmitting a proposed program of aid to China. S. Doc. 120, 80th Cong., 2d sess. 4 pp. [Feb. 18, 1948.]

Summary of Legislation Enacted by the Eightieth Congress, Together With a Preliminary Statement Relating Thereto Pursuant to the Request of the Honorable Kenneth S. Wherry, United States Senator From Nebraska. S. Doc. 198, 80th Cong., 2d sess. iii, 52 pp.

The Spotlight of the International Scene¹

BY CHARLES E. SALTZMAN

Assistant Secretary for Occupied Areas

It was suggested that I talk to you about some of the focal points of trouble in the world today. This affords me a wide range of topics—much too wide for treatment in a single talk. It is an unhappy commentary on human affairs today that the trouble spots appear to be more numerous than those left untroubled. Therefore I shall limit myself primarily to a discussion of the Berlin situation, within the larger context of American foreign policy. What I shall say is merely a review of policy statements and background that have already been made public. The State Department issued the White Paper last week which reviewed in considerable detail the course of events with respect to the Berlin situation, and representatives of the United Nations have made the American position plain in their statements before the General Assembly and the Security Council. What I am saying, therefore, is merely a review and a paraphrase of what has been said.

In appraising our present situation, it may be constructive to recall our foreign policy course during the past few years. The familiar Von Clausewitz dictum was that war is an instrument for carrying out political policy by other than political means. We might define American foreign policy since 1945 as being in a sense the reverse: an effort to achieve by peaceful means the same objectives for which we fought the war. Every nation's foreign policy is necessarily based on its fundamental national interest. We fought Germany and Japan because they threatened our national security—our right to live and govern ourselves as we see fit and to enjoy equal rights with other nations in world trade and other international relationships. The paramount aim of our foreign policy today is still the preservation of our freedom and independence, our right to develop and order our own affairs without domination or interference from abroad. We can best maintain our independence and integrity, and develop our own resources in the best interest of our people, in a peaceful world community composed of other free and independent nations, each engaged in providing the best possible for its own people. Therefore, as a means of achieving our number one objective, we

have as a secondary objective the establishment of a world order conducive to peace and constructive human progress.

Thus we find that the United States and most of the other countries of the world today are in fundamental agreement on the essential objects of international relationships. We have a common purpose and a community of interest with the great majority of the other nations. There are minor differences, of course, but these are all susceptible of adjustment by the ordinary processes of negotiation. The supremely important thing is that the United States and the majority of other nations agree on fundamental principles and are cooperating on hundreds of practical details that make up the world's business.

International cooperation in overcoming the suffering and devastation caused by the war and in constructing a healthy, peaceful world order has been the keynote of United States policy. Even while the war was being fought, we took the lead in the international conferences that resulted in the creation of UNRRA, the Food and Agriculture Organization, the World Bank, the International Monetary Fund, and the United Nations itself.

These plans for cooperative action were based on the assumption, or at least the hope, that the wartime collaboration of the Allied nations would continue in the postwar period; that all the Allies had a common, constructive, postwar objective and meant what they said in professing such an objective. The United States and the other major Allied powers made every effort to assure the Soviet Union that we sincerely desired to work in close cooperation with them after the war. We went to great lengths to convince the Russians that our postwar plans did not threaten them in any way and that the postwar settlements would take into account the damage suffered by Russia in the war and its legitimate security requirements.

After the fighting ended, we continued to hope that the Soviet Union would reciprocate the friendship and cooperation which the United States and the other Western nations extended in concrete form and on many occasions. However,

¹ Address delivered at the University of New Hampshire, Durham, N. H., on Oct. 7, 1948, and released to the press on the same date.

THE RECORD OF THE WEEK

it became increasingly evident that Soviet policy was animated by a spirit of rivalry and antagonism and that its primary aim was territorial expansion and the extension of Communism by every possible means, regardless of the rights and wishes of other peoples. It is now perfectly plain that the policy of the Soviet Union is not based on a genuine spirit of reciprocity and cooperation, but on the dogmatic doctrine that conflict between Communism and the rest of the world is inevitable and must continue until one of the two rival systems utterly destroys the other. No matter what the Communists may say on the cynical grounds that the end justifies the means, all their acts confirm the conclusion that they are determined to dominate the world and impose their will on all other peoples.

This is the real and fundamental cause of the differences that now dangerously divide the world and imperil peace. It is not merely a struggle for power between the Soviet Union and the United States, as some even in this country would have us believe. It is a contest of wills between the group of police states directed from the Kremlin and the free peoples of the world, whom the Soviet dictators are trying, for whatever reason, to dominate and control through the instrumentality of international Communism.

The struggle is now world-wide and intense. It is a conflict which the United States does not desire and which we sought by all honorable means to avoid. But the threat exists, and it jeopardizes our national security and the fundamental rights of our people as surely as Hitler did. We have no recourse but to recognize the challenge and to take bold measures to meet it successfully.

The record of the past three years shows that this Government has recognized the threat and has met it with measures that have achieved a considerable degree of success. Various well-known examples can be cited, such as our support of Iran, Greece, Turkey, Korea, Austria and, of course the most outstanding, the Marshall Plan itself. Our Government has consistently sought to further the objectives of the United Nations and to make the Charter the guiding principle in the conduct of international affairs. It has initiated steps to help Germany regain the status of a worthy member of the family of nations, and has stood firm in Berlin, the most critical point of contact between the Soviet Union and the Western powers.

As a result of our efforts, combined with those of the other Western powers, direct Soviet control has extended no further than, roughly, the line reached by the Russian armies in 1945. The free

nations outside the area occupied or dominated by Soviet troops remain free and are substantially stronger today than they were a year ago. The boasted monolithic solidarity of the Communist regimes of Eastern Europe shows unmistakable cracks that bear witness to internal stresses even the secret police have been unable to elude or gloss over.

This, in brief, has been our reaction to the worldwide storm of which Berlin is the vortex. A detailed appraisal of the situation at Berlin and the events that led to the submission of this question to the United Nations may be instructive. We have been told by some Americans, for example, that we could settle all our differences with the Soviets if only we would sit down around a conference table and enter into open-minded negotiations. This advice has been reiterated, in spite of earlier disillusioning experiences around a conference table. We have found from experience that it is impossible to deal with the Russians like other nations, on a *quid pro quo* basis. To take the *quid* and try to keep the *quo*.

This observation is substantiated by the record of our dealings with the Soviet Union in regard to Germany. The plans for the Four Power occupation of Germany were worked out by the major Allied powers before V-E Day and were confirmed and elaborated in the Potsdam agreement of August 2, 1945. The right of free access of American personnel and supplies to Berlin was a requirement of the Four Power agreements and was sanctioned by usage for three years.

One of the key provisions of the Potsdam agreement stipulated that Germany was to be treated as an economic unit. It is obvious that unless it was so treated, no permanent rehabilitation of Germany along sound and peaceful lines would be possible. The Western powers tried repeatedly in the Allied Control Council and in the Council of Foreign Ministers to have this requirement put into effect, but without success. Instead, it is obvious that the economy of the Soviet zone of Germany has been systematically Sovietized so that the Soviet zone has become in effect an economic appendage of the Soviet Union. These unilateral actions of the Soviet Union have kept Germany divided economically and have placed numerous obstacles in the way of the recovery of Germany to even a subsistence level, not to mention the handicap this has imposed on European recovery as a whole.

Two years ago, when attempts to accomplish German economic unity had been made in the Control Council for more than a year with no success, the American and British Governments determined to unify as much of Germany as they could in the interest of revising the prostrate economy. So in December 1946 the American and British zones were merged for economic purposes.³

² BULLETIN of Oct. 10, 1948, p. 455.

³ BULLETIN of Dec. 15, 1946, p. 1102.

The United States and Britain also felt that the Germans must be given progressively greater responsibility in political affairs to prepare Germany for eventual return to self-government as a democratic and peaceful nation. Early this year the United States and Britain consulted in London with the French, Belgian, Netherlands, and Luxembourg Governments. Agreement was reached that, in view of the seeming impossibility of reaching Four Power agreement on German unity within any foreseeable future, the western zones of Germany collectively should be allowed to establish their own governmental organization, with which the remainder of Germany could subsequently join.⁴

While the London talks were in progress, the Soviet Delegation left the Allied Control Council and did not return. This wrecked the Four Power Administration of Germany. Subsequently, the Soviet Representative withdrew from the Berlin commandatura.

The Western powers, having failed in repeated efforts to obtain Soviet agreement on a Four Power plan for currency reform for Germany, introduced new currency in their zones last June 18. The Soviets then introduced a new currency in their zone and tried to apply it to all of Berlin. The Western powers therefore found it necessary to introduce their own currency in their sectors of Berlin.⁵

As early as last March 30, the Soviet authorities began to apply restrictions to communications and transportation between the Western zones and Berlin. These reached a climax on June 23, when the Soviet authorities halted all rail, highway, and water transportation. This amounted to a blockade of the two and half million Germans and the Allied personnel in the western sectors of Berlin. The pretext first given by the Soviets was "technical difficulties", but they later made it clear that their real motive was retaliation for the decisions of the Western powers at the London conference. The American and British authorities began to supply their sectors of Berlin by air and have continued to do so with increasing success. The air-lift operation has saved the Western sectors of Berlin from being starved into submission and is an achievement in which the American and British peoples can take great pride. But it is an expensive substitute for normal supply methods. The Western powers have used the time bought by the American and British air forces to enter negotiations for lifting the totally unwarranted blockade and permitting a resumption of normal supply by land and water routes.

Efforts of the Military Governors of the Western powers in Berlin to accomplish this proved ineffective and the representatives of the Western powers in Moscow began a series of

conferences with Foreign Minister Molotov and Generalissimo Stalin in an attempt to effect a settlement.

The Western powers repeatedly stated that they were standing firmly on their rights in Berlin—rights derived from participation in the military defeat and unconditional surrender of Germany and confirmed by formal agreements among the Four Powers. They emphasized that their right to be in Berlin is "unquestionable and absolute," and that "they do not intend to be coerced by any means whatsoever into abandoning this right." They made it clear that they regarded the situation created by the Soviet blockade as extremely serious but capable of settlement.

The record of the negotiations has been made public in the White Paper issued recently by this Government.⁶ Mention shall be made only of the main points. In the meeting with American Ambassador Smith and the British and French Representatives on August 2, Stalin proposed a settlement based on the simultaneous replacement of the Western currency with Soviet currency for all Berlin and the removal of all transport restrictions. He also expressed the insistent wish that the decisions of the London conference on Western Germany not be carried out, but he did not make this a condition for settlement of the Berlin situation. Ambassador Smith made it clear that the Western powers always were willing to discuss with the Soviets any problem concerning Germany, provided we were not doing so under duress, as in the case of the blockade.

When these proposals were submitted to the Western governments, they accepted the Soviet mark as the sole currency for Berlin in principle, with the proviso that its issue and use be subject to Four Power control. They also insisted on Four Power arrangements to cover trade between Berlin and the Western zones. Otherwise the Soviets would have practical control of the economic life of Berlin and might have us at their mercy there.

The Western representatives in Moscow then engaged in protracted negotiations with Molotov on the wording of the draft of a Four Power communiqué on the proposals. Molotov tried to limit the transport restrictions to be removed only to those imposed after June 18. He also tried to reintroduce the question of the London agreement on Western Germany, and to leave the proposed Soviet currency for Berlin and the trade of Berlin under Soviet control. All these conditions were contrary to the previous proposals. The discus-

⁴ BULLETIN of Mar. 21, 1948, p. 380.

⁵ BULLETIN of June 27, 1948, p. 385.

⁶ See *The Berlin Crisis, a Report on the Moscow Discussions*, 1948, Department of State publication 3298.

sions reached an impasse and the Western representatives obtained another meeting with Stalin.

At this meeting, on August 23, the discussion centered on a directive which the four governments would send to their military governors in Berlin for working out the technical details of the principles already agreed upon. On this occasion, Ambassador Smith obtained confirmation from Stalin that the transport restrictions to be lifted included those imposed before as well as after June 18. Stalin also confirmed the understanding of the Western powers that the Soviet currency for Berlin would be controlled and supervised by the Four Powers jointly.

Following another meeting with Molotov on August 27, in which he again tried unsuccessfully to tie the hands of the Western powers with respect to the London decisions, an agreed directive was dispatched to the four military governors in Berlin.

Beginning August 31, the military governors met daily in Berlin during the week given them to complete their task. In the words of the White Paper, "It soon became apparent that Marshal Sokolovsky (the Soviet Military Governor) was not ready to honor the understandings reached in Moscow." He went outside the terms of the agreed directive and sought to impose restrictions on air traffic. Despite Stalin's agreement, Sokolovsky declared he would agree to remove only those transport restrictions imposed after June 18. He also sought to subject the currency and trade of Berlin to exclusive Soviet control. The discussions in Berlin ended in futility and frustration.

The Western powers then delivered an *aide-memoire* to Stalin and Molotov in which they cited the principles agreed upon and the assurances given during the previous discussions in Moscow, and contrasted the divergences from them apparent in Marshal Sokolovsky's position. The three Western Governments asked pointedly if the Soviet Government was prepared to carry out the understandings previously reached and to instruct the Soviet Military Governor to be bound by them. Molotov's reply upheld the position taken by Marshal Sokolovsky and blamed the Western powers for the failure of the Berlin discussions. Another exchange of notes left the matter substantially unchanged.

On September 26 the three Western Governments addressed identical notes to the Soviet Government in which they reviewed the course of the negotiations and concluded that the issue between the Soviet Government and the Western powers was not difficulties in communication or in currency regulation.⁷ "The issue," they declared, "is that the Soviet Government . . . is attempt-

ing by illegal and coercive measures in disregard of its obligations to secure political objectives which it is not entitled and which it could achieve by peaceful means."

The Western Governments asserted that the Soviet Government was solely responsible for creating a situation which rendered impossible further recourse to the processes of peaceful settlement specified in article 33 of the United Nations Charter. They further declared that the situation created by the Soviet Union constitutes a threat to international peace and security. The three Governments stated that, while reserving full right to take any necessary measures to maintain the position in Berlin, they would refer the action of the Soviet Government to the Security Council of the United Nations.

The three Governments on September 29 referred the matter to the United Nations as a threat to the peace within the meaning of chapter 7 of the Charter.⁸ Article 39, the first article of that chapter, states that:

"The Security Council shall determine the existence of any threat to the peace, breach of peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security."

The case presented by the Three Powers squarely within the province of the United Nations, because the issue is whether coercion may be used by one Member against others in pursuance of its political objectives in such a way that peace is threatened. The three Western powers, therefore, have submitted to the United Nations a matter which is within its general responsibility. They have laid their full case before the proper forum, the Security Council, for its judgment on the matter. It is well known, of course, that a permanent member of the Security Council can frustrate the Council's action by exercise of the veto power. However, the three Western Governments have made it clear that they will exhaust every possible effort and collaborate in every way through United Nations procedures to remove the threat to peace. The present case places on the Soviet Union a clear responsibility for demonstrating before the eyes of the world the extent to which it will honor its obligations under the Charter.

The painstaking effort of the Western powers to find a satisfactory solution of the critical Berlin situation through direct negotiation with the highest authorities of the Soviet Union yielded only bitter disappointment and did not remove the real and dangerous threat to world peace that now exists. But this experience, though exasperating and frustrating, confirmed the earnestness of the Western

⁷ BULLETIN of Oct. 3, 1948, p. 423.

⁸ BULLETIN of Oct. 10, 1948, p. 455.

powers in seeking to compose their differences with the Soviet Union by negotiation, as long as there is the least hope of success. It also emphasized their unalterable determination not to compromise on vital principles, nor yield to coercion, nor take the easy but fatal way of appeasement.

The Moscow-Berlin discussions should clarify for the American people the nature of the paramount problem which this country faces in world affairs. The record provides a case history of the enormous difficulties encountered by a peaceful, democratic government in dealing with an aggressive dictatorship-type government with wholly different objectives and a wholly different concept of international relations.

This is a new kind of test for the American people. We have responded to the terrible ordeal of war with a singleness of purpose and a concentration of effort that have always brought victory. But we are engaged now in a struggle that cannot be settled properly by some quick and decisive action. We are exerting our utmost effort to avoid war. We hope to win this conflict this side of war, by patience, calmness, and spiritual fortitude. Perhaps this will not be possible, but we shall proceed on the assumption that it is possible.

The primary lesson of our postwar experience and particularly of the past few months is that there is no short cut to the kind of world we want. We dare not seek the easy way out through wishful thinking, escapism, or appeasement, lest we drop through the trap door to oblivion. There is no magic formula, no man-made miracle, that will quickly free us of the ever present danger inherent in the machinations of a ruthless and unrestrained group who wield great power.

The eyes of the American people should now be fully opened. We have completed a painful process of disillusionment. We know now that the Soviet rulers have no intention of cooperating in establishing peace and order in the world. They have made this abundantly clear by their postwar behavior. The Soviet Union is the only major power that has annexed territory as a result of the war. It has used its special position in eastern Europe to dominate and exploit smaller countries and reduce them to the status of satellites. It has flouted the will of the majority in the United Nations by excessive use of the veto and by boycotting the Interim Committee of the General Assembly and the special Commissions for Korea and the Balkans. It has blocked the majority plan for the international control of atomic energy, without offering a satisfactory substitute. It used its dominant role in the recent Danubian conference to dictate terms that ostensibly assure freedom of navigation but actually give the Soviets absolute

control over all commerce on the lower Danube. It delayed and impeded the peace treaties with the lesser former enemy states and has obstructed the negotiation of peace settlements with Austria, Japan and, most conspicuously, Germany. It rejected an invitation to participate in the European Recovery Program and proclaimed its determination to defeat that great cooperative enterprise.

The Soviet rulers have thus made it plain that their real aim is world domination through the instrumentality of Communism and that they will stoop to any stratagem of coercion, subterfuge, duplicity, or double-dealing that serves their purpose. Their aims and their methods are a direct threat to the national security of the United States. Forewarned by this knowledge, we must be forearmed by an alertness to danger and a readiness to preserve our security and freedom at all cost. If we do so, the prospects of peace will be much greater, since it would then be less likely that any foreign power would attempt to coerce this and other countries by force.

This is the ordeal which we and the other free peoples of our time must endure and survive. It is a reality which we must face and grapple with—from which we cannot turn away. The first requirement is that we clearly recognize the danger and meet it energetically and courageously. We have what it takes to win if we understand our problem.

In view of the implications of the problem, surely nothing is more important today to every American citizen than to know and understand what has happened in the world since the end of World War II and what these events mean to the United States. It is of utmost importance that every citizen understand what has happened and follow as carefully as possible the development of events from now on in order that we and our neighbors may be in a position to judge for ourselves whatever may be necessary in our national interest and to protect our national security. It is supremely important that we understand, support, and, if necessary, urge those actions, both domestic and foreign, which may, as time goes on, best protect our national security and the world's peace.

I wish some assurance could be given that the critical situation in Berlin will be resolved peacefully and soon. Such assurance cannot be given. All that the American Government and the other governments with which it is associated can do is to assure their citizens that they will do their utmost to keep the peace by all means consistent with justice and honor.

I think that is all the American people will ask of them.

Franco-American Negotiations on Motion Pictures

ANNOUNCEMENT OF JOINT DECLARATION

French Foreign Minister Robert Schuman, Minister of Industry and Commerce Robert Lacoste, and Ambassador Jefferson Caffery signed on September 16 in Paris a Joint Declaration of the Government of the United States of America and the Government of the French Republic on Motion Pictures.

The French Government in January 1948 requested negotiations looking toward modification of the Franco-American (Blum-Byrnes) motion-picture understanding of May 28, 1946, in accordance with its provisions.¹ The negotiations not having reached a conclusion satisfactory to both Governments within six months from the request for negotiations, the Blum-Byrnes understanding, as provided therein, has expired. Further nego-

tiations resulted in the Joint Declaration of September 16, 1948, the text of which is attached.

The Department of State considers that the screen quota decided upon by the French Government (five weeks a quarter reserved for the showing of French films) is not inconsistent with the provisions of article IV of the General Agreement on Tariffs and Trade. The Department also considers that the French Government's decision to institute a distribution quota system limiting the number of foreign feature films dubbed into French which will be authorized for distribution annually in the French Union is not inconsistent with the provisions of articles XII and XIII of the general agreement in view of the current French balance-of-payments difficulties.

JOINT DECLARATION OF THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE FRENCH REPUBLIC ON MOTION PICTURES

The Government of the United States of America and the Government of the French Republic have, at the request of the latter, re-examined certain questions relating to the distribution and exhibition in the French Union of American motion picture films, and, in particular, the Franco-American motion picture understanding of May 28, 1946. During these conversations, the specific problems relating to the distribution and exhibition of American films in the French Union have been discussed in the light of the special conditions facing the French Government resulting from its external financial position and balance of payments and other postwar problems of economic adjustment. These conversations have taken place with due regard for the relevant provisions of the international conventions and agreements to which both Governments are parties.

I. The French Government has informed the Government of the United States of America that in view of the current situation in the French film industry it is necessary to increase the screen time

reserved to films of national origin. The Franco-American motion picture understanding of May 28, 1946 having expired in accordance with the provisions therein, the French Government has decided, consistent with Article IV of the General Agreement on Tariffs and Trade of October 30, 1947, to reserve five weeks per quarter for the exhibition of French films, except as otherwise noted (Annex A).²

II. The French Government has decided to make certain modifications in its administrative regulations regarding the two-year rule, fifteen situations restriction, and allocation of raw stock (Annexes B, C and D).

III. In view of the current French external financial situation and balance of payments, the French Government has decided to institute a distribution quota system (applicable to imported films which are dubbed in France for distribution in the French Union) which it considers to be within the provisions of Articles XII and XIII of the General Agreement on Tariffs and Trade. Recognizing its obligations under the above-mentioned articles of the General Agreement, the French Government undertakes to relax progressively the restriction referred to in this paragraph as its balance of payments situation improves and

¹ BULLETIN of June 9, 1946, p. 999.

² Annexes not printed. For complete text, see Department of State press release 746 of Sept. 16, 1948.

to eliminate the restriction when conditions no longer justify its maintenance (Annex E).

The Government of the United States of America takes note of this decision of the French Government without prejudice to any rights which the United States Government may have under the General Agreement with respect to any action which the French Government may take to implement this decision.

IV. The two Governments have reached a mutually satisfactory understanding with respect to the financial problems arising from the distribution and exhibition in the French Union of American films (Annex F).

V. The arrangements outlined above shall enter into force retroactively on July 1, 1948, and shall remain in effect for four years from that date. Either party may request, within two months of the expiration of each annual period, a review of the provisions contained in any of the annexed documents, except as otherwise provided. This agreement, however, shall continue in full force and effect for four years except to the extent that both parties agree to modifications thereof.

Done at Paris, in duplicate, in the English and French languages, this sixteenth day of September, 1948.

For the Government of the United States of America:

JEFFERSON CAFFERY

*Ambassador Extraordinary and Plenipotentiary
of the United States of America*

For the Government of the Republic of France:

ROBERT SCHUMAN

*Minister of Foreign Affairs
of the Republic of France*

ROBERT LACOSTE

*Minister of Industry and Commerce
of the Republic of France*

THE FOREIGN SERVICE

Foreign Service To Assist Displaced Persons Commission

[Released to the press October 8]

A group of 72 members of the Foreign Service experienced in visa work are being rushed into Germany, Austria, and Italy as the result of budgetary clearance obtained on October 8 at a meeting of Budget Bureau officials with representatives of the Department of State and the Displaced Persons Commission. The arrival of this group at their new posts in Central Europe is expected to break the log jam which has been holding up the displaced-persons program passed by Congress at the last session.

October 17, 1948

Between 500,000 and 600,000 displaced persons are now concentrated in more than 200 camps maintained throughout Germany and Austria and in parts of Italy by the International Refugee Organization, a unit of the United Nations. In addition, up to 400,000 others who are homeless outside of the camps in Central Europe are also potential applicants for admission into the United States.

From this group of about a million left homeless by the ravages of World War II in Europe, 205,000 are to be permitted by law to enter the United States during the next two years, provided they can meet qualifications as to skills, ethnic origins, and time of arrival at their present abodes, and provided also satisfactory assurances in their behalf have been provided for employment, housing, or against their becoming public charges.

The 72 Foreign Service personnel now to proceed into Germany, Austria, and Italy, evenly divided between visa officers and clerks, are the forerunners of a very much larger group which will be required to implement the displaced-persons program. A preliminary sum of \$250,000 has already been allocated for the purpose, mostly to the Foreign Service, by the Displaced Persons Commission. The rate of spending, it is estimated, will exceed the appropriation made available to the Displaced Persons Commission, and therefore it is expected that a deficiency appropriation will be requested of Congress in March of 1949.

The work of providing transportation of displaced persons from Europe into the United States is being expedited by a staff of some 20 selectors and analysts of the Displaced Persons Commission in the various camps, who have been screening eligibles from the thousands of cases already processed by already over-worked American consular staffs.

Richard C. Patterson, Jr., Appointed Ambassador to Guatemala

Appointment of Richard C. Patterson, Jr., of New York City, as United States Ambassador to Guatemala was announced on September 29 by the White House.

Resignation of Dwight Griswold

On September 15 the White House announced the resignation of Dwight Griswold as Chief of the American Mission for Aid to Greece, effective September 15, 1948. For the texts of Mr. Griswold's letter to the President and the President's reply, see White House press release of September 15, 1948.

Consular Offices

The American Consulate at Plymouth, England, was closed to the public on September 30, 1948.

Executive Order Issued for Administration of Trade-Agreements Program

On October 5, 1948, the President signed Executive Order 10004,¹ prescribing revised procedures for the administration of the reciprocal trade-agreements program in accordance with the Trade Agreements Act of 1934, as amended, and the Trade Agreements Extension Act of 1948.² The new Executive order includes subject matter heretofore covered by three earlier orders which are revoked.

The new order, in general, continues in effect earlier practice under the trade-agreements program with modifications made necessary by the Trade Agreements Extension Act of 1948. The order prescribes procedures to be followed by the Trade Agreements Committee in concluding trade agreements; by the Committee for Reciprocity Information in obtaining the views of interested persons on agreements; and by the Tariff Commission in the event of serious injury or threat of serious injury to domestic industry.

The Interdepartmental Committee on Trade Agreements will continue to function as the central operating committee, giving effect to the requirement of the Trade Agreements Act that the President seek information and advice from certain named government agencies before concluding a trade agreement. Membership in the Committee will consist of persons appointed by the Secretaries of State, Treasury, Defense, Agriculture, Commerce, and Labor and by the Administrator for Economic Cooperation, under the chairmanship of the representative from the Department of State. In accordance with the Trade Agreements Extension Act of 1948, the Tariff Commission no longer has a representative as a member of this Committee, but arrangements have been made for an observer from the Tariff Commission to attend the meetings of the committee for the purpose of supplying the information hereinafter referred to.

The Committee for Reciprocity Information, which will continue to receive, digest, and circulate to the entire trade-agreements organization the views of interested persons regarding any phase of proposed or existing trade agreements, is to consist of the same persons as those who are members of the Committee on Trade Agreements. The Committee for Reciprocity Information will

function under the chairmanship of the representative of the Department of Commerce, and its offices are being moved to the Department of Commerce.

The order provides that, as before, the Trade Agreements Committee shall submit to the President for his approval a list of articles on which possible United States tariff concessions may be considered in the negotiation of proposed trade agreements. Upon approval of the list by the President, the Trade Agreements Committee publishes the list and a notice of intention to negotiate. At the same time the Committee for Reciprocity Information announces opportunity for the submission of written testimony and for subsequent oral testimony concerning concessions to be offered and granted.

In accordance with the 1948 act, the list is also to be transmitted to the Tariff Commission upon being approved by the President, for confidential report by the Commission as to the minimum United States duties which are required, in its judgment, to avoid threat of serious injury to domestic industry, and as to any United States import restrictions in addition to those already in effect, necessary to prevent such injury. In the course of its investigations, the Commission is to hold public hearings. Reports of the Commission are to be completed within 120 days and transmitted to the President for his guidance in approving concessions to be offered in proposed trade agreements.

The Tariff Commission is also to furnish to the interdepartmental trade-agreements organization factual data relative to production, trade, and consumption of articles under consideration for concession by the United States, and is to supply facts on probable effects of granting concessions and on the competitive factors involved.

Similarly, the Department of Commerce is to submit to the Trade Agreements Committee studies of the trade and other facts regarding each article exported from the United States on which the United States may consider seeking a foreign concession in a trade agreement.

On the basis of all the data available, the Trade Agreements Committee recommends to the President concessions to be sought or offered. A full report must also be made by the dissenting member or members on any dissent from the Committee's recommendations.

¹ 13 *Fed. Reg.* 5851.

² *BULLETIN* of Mar. 14, 1948, p. 351.

in conformity with past practice, each agreement is to contain a most-favored-nation commitment, and as required in an earlier order, all trade agreements are to include the comprehensive escape clause providing that future concessions may be modified or withdrawn if, as a result of unforeseen developments and of a concession in a trade agreement, any article on which a concession has been granted is being imported in such increased quantities and under such conditions as to cause or threaten serious injury to domestic industry. Procedure is also provided, as in an earlier order, for Tariff Commission investigations to determine and recommend to the President for consideration in the light of the public interest whether concessions are causing or threatening injury under this clause.

Both the Trade Agreements Committee and the Tariff Commission are to keep informed at all times of the operation and effect of agreements in force. At least once a year the Commission is to submit to the President and to Congress a factual report on operation of the program.

Volume V of Foreign Relations of the United States, 1932, Released

[Released to the press October 9]

The Department of State released on October 6 *Foreign Relations of the United States, 1932, Volume V, The American Republics*. This volume completes the *Foreign Relations* series for 1932.

Diplomatic attention of the United States with respect to its neighbors to the south in 1932 was centered in efforts to assist in the adjustment of conflicts between sister republics. Fighting was renewed in the Chaco dispute between Bolivia and Paraguay, with the Commission of Neutrals headed by Francis White endeavoring to secure peace through its own good offices and by the co-operation of the ABCP Republics (Argentina, Brazil, Chile, and Peru) and the League of Nations. The controversy between Colombia and Ecuador concerning Leticia threatened to bring open warfare. There were also boundary disputes between Ecuador and Peru and between Guatemala and Honduras.

In addition to the international conflicts there was political unrest, insurrection, or successful revolution in Brazil, Chile, Costa Rica, Cuba, El Salvador, Honduras, and Peru. In some of such disorders Communism played a part. The United States followed a policy of nonintervention in the domestic conflicts but was concerned with the protection of American rights and the question of recognition of new governments.

Documents in the sections on Haiti and Nicaragua deal with problems concerning the special conditions then existing between the United States

and those countries. A treaty was negotiated with Haiti for the further Haitianization of the treaty services, but it was rejected by the Haitian Congress. In Nicaragua assistance was given in the supervision of an election, following which the *Guardia Nacional* was transferred to Nicaraguan officers and the United States Marines were withdrawn from the country.

Other subjects treated include an Argentine proposal for an antiwar treaty, trade relations with Argentina, and claims conventions with Mexico and Panama.

Foreign Relations of the United States, volume V, *The American Republics*, was compiled by Victor J. Farrar of the Division of Historical Policy Research, under the direction of E. R. Perkins, Editor of *Foreign Relations*. Copies of this volume (979 pages) may be purchased from the Superintendent of Documents, Government Printing Office, Washington, D. C., for \$3.25 each.

THE DEPARTMENT

Appointment of Officers

Benjamin M. Hulley as Chief of the Division of Northern European Affairs, effective July 25, 1948.

Willard F. Barber as Chief of the Division of Central America and Panama Affairs, effective September 5, 1948.

G. Frederick Reinhardt as Chief of the Division of Eastern European Affairs, effective August 30, 1948.

Jack C. McDermott as Chief of the Division of International Press and Publications, effective September 5, 1948.

Richard M. Scammon as Chief of the Division of Research for Europe, effective August 27, 1948.

Walter Wilds as Deputy Assistant Secretary for Occupied Areas, effective October 6, 1948.

PUBLICATIONS

Department of State

For sale by the Superintendent of Documents, Government Printing Office, Washington 25, D. C. Address requests direct to the Superintendent of Documents, except in the case of free publications, which may be obtained from the Department of State.

Fourth Report to Congress on Assistance to Greece and Turkey for the period ended June 30, 1948. Economic Cooperation Series 12. Pub. 3278. 71 pp. 25¢.

Fourth quarterly report of expenditures and activities in conjunction with the program for aid to Greece and Turkey. Appraises the military and economic situation in Greece and Turkey at the close of one year of U. S. aid.

Diplomatic List, September 1948. Pub. 3281. 190 pp. 30¢ a copy; \$3.25 a year domestic, \$4.50 a year foreign.

Monthly list of foreign diplomatic representatives in Washington, with their addresses.

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Rosamond Gilder, author of the article on the First Congress of the International Theatre Institute, is Secretary of the American National Theatre and Academy and Secretary General of the United States Center of the International Theater Institute, and was a member of the United States Observer Delegation to the theater meeting at Praha, Czechoslovakia.

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The Department of State

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Vol. XIX, No. 486
October 24, 1948

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The Department of State bulletin

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October 24, 1948

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CONSTITUTION-MAKING AT BONN

An Article¹

Overshadowed by the more dramatic developments that are taking place in Berlin, a conclave of 65 German political leaders is sitting these days at Bonn on the Rhine—a meeting that may rank in the perspective of history as a much more significant event. This “Parliamentary Council”, as it is officially called, is engaged in the task of drawing up a constitution for the government of Western Germany.

These 65 men are the representatives of the 46,000,000 Germans who live in the states of the Western zones of Germany. Assembled in this gathering are the delegates from Bavaria, Württemberg-Baden, Hesse, and the city of Bremen in the United States zone; North Rhine Westphalia, Lower Saxony, Schleswig-Holstein, and the city of Hamburg in the British zone; and the Rhine Palatinate, South Baden, and Württemberg-Hohenzollern in the French zone. Furthermore, Berlin, the former German capital, is represented by a delegation of five which may take part in the discussions but may not vote.

This constitutional convention was solemnly opened in the presence of leading Allied Military Government officials and the German ministers resident in the Western zones on September 1, and is expected to sit at least until the end of October. Its debates are being held in the quarters of the Pedagogical Academy, a teachers' training college. It is an ultramodern building located on the banks of the Rhine, so that the delegates, looking through the window of the main hall, can see the ships passing up and down on this storied river.

The significance of the assembly lies in the fact that it represents the first attempt to reconstruct Germany politically since Count Schwerin-Krosigk announced the capitulation of Nazi Germany at Lensburg on May 7, 1945. It is a coincidence that this gathering should be held exactly 100 years

after the Frankfort Parliament in 1848 had finally attempted to bestow a democratic constitution on the people of Germany. And almost 30 years had elapsed since the Weimar convention drafted the constitution of the first German republic.

While both Frankfort on the Main and Weimar are closely associated with the name of Goethe, the present constitution-makers of Germany are meeting in the pleasant Rhine town that is known throughout the world as the birthplace of Beethoven as well as the seat of an ancient and famous university. But there is one vital difference between the Frankfort and Weimar congresses and the gathering at Bonn. While the earlier conventions represented all of Germany, no delegates from the Soviet zone are permitted by the Russian authorities to attend the sessions of the Parliamentary Council. Bonn is therefore no German National Assembly. And although it is the most important step that has been taken since the war to obtain the political unity of Germany, the Russians and their Communist supporters are shouting from the housetops that the Bonn convention is “splitting Germany.”

The political leaders at Bonn are very sensitive about this accusation—so sensitive that they are careful to emphasize the fact that what they are doing now is laying the foundation of what they call “a provisional government of a state-fragment” and not the definitive constitution of a united Germany. This all-German constitution, they contend, can only be written when the representatives from all over the Reich can convene and when Germany's political sovereignty has been restored. And this constitution, they assert, cannot

¹ Prepared by John Elliot, Chief, Political Activities Branch, Civil Administration Division, OMCUS. This article is reprinted from the *Information Bulletin* of Oct. 5, 1948, of the U.S. Military Government in Germany.

be drafted while Germany is under Allied occupation.

This German point of view was aptly expressed by Dr. Carlo Schmid, eminent professor of political science from the University of Tübingen, in his address before the Social Democratic Congress in Dusseldorf early in September. Said Schmid:

"No definitive solution will be sought in Bonn. All who work there, at least all Social Democrats, know that only a provisional government can be created. We will be able to create a state in the true sense of the word only when an agreement of the four occupying powers has been reached concerning an all-German policy. Every other solution would be bought at the risk of a world catastrophe."

This fear of leaving themselves open to the charge of being guilty of "splitting" Germany was the cause of the protracted debate on nomenclature between the three Allied Military Governors of Western Germany and the ministers president of the 11 states. The Germans objected to calling the document which they were summoned to draw up a "constitution" as stipulated in the London agreement concluded by the United States, British, and French Governments, which constitutes the legal basis of the Bonn meeting. The Germans succeeded in getting the name changed to "Fundamental Law of a Provisional Constitution" (*Grundgesetz Vorläufige Verfassung*). Likewise, instead of labeling itself a Constitutional Convention, the Bonn gathering styles itself a Parliamentary Council.

Finally, the German ministers president objected to the proposal to have their constitution ratified at a referendum. They feared that this would give a binding character to a document—a distinction which they felt should be reserved for the definitive constitution of Germany. They pleaded that this charter should be ratified by the parliaments of the states. The Allied Military Governors in the end agreed to pass on the German objections to their respective governments, but no decision has as yet been taken on this point.

The delegates to the Bonn convention were named by the state parliaments according to the political strength of the political parties represented in them, in the ratio of one delegate to every 375,000 inhabitants. Hence, the Bonn convention

reflects the political division of Germany as recorded by the last state parliamentary elections (these were held in the United States zone November and December 1946), and do not necessarily indicate existing German political thought.

The Bonn convention is made up as follows:

CDU/CSU	27
SPD	27
Liberals	5
Communists	2
Center Party	2
German Party	2
Total	65

It will be seen that the Parliamentary Council is dominated by the two big parties, Christian Democratic Union bloc (including its sister party the Christian Social Union of Bavaria and the French zone) and the Social Democratic Party.

The Bavarian Party, which is today rivaling the CSU in that state, is not represented at all in the convention because it did not exist at the time of the Bavarian elections. It is a party composed of dissidents from the CSU. It represents extreme Bavarian home rule, if not separatist elements, and its failure to have a voice in the convention weakens the federalistic faction.

The Bonn convention has been organized by these two big parties. Konrad Adenauer, long-time mayor of Cologne and leader of the CDU in the British zone, was unanimously elected president of the Assembly. Its deputy chairman is Adolph Schönfelder, Social Democratic president of the Hamburg Bürgerschaft.

Some of the ablest political figures of contemporary Germany are sitting in the Bonn Parliament. Besides Adenauer, the CDU is represented by Anton Pfeiffer from Bavaria, who dominated the Chiemsee meeting which drew up a list of proposals for the Bonn gathering.

The Social Democratic delegation includes Dr. Walter Menzel, the Minister of the Interior in North Rhine Westphalia, who has drawn up the Social Democratic paper on what the new constitution ought to be; Professor Bergsträsser, an authority on international law who comes from Hesse; and Carlo Schmid, who next to Dr. Konrad Schumacher is probably the dominating figure in his party.

The Democrats have sent Theodor Heuss, a ve-

eran German liberal who was formerly Minister of Education in Württemberg-Baden.

Although the Communists have only two delegates at the convention, one of them is their leader in Western Germany—Max Reimann. He is an able and aggressive debater.

Berlin is represented by a delegation consisting of Paul Löbe, the former Reichstag president; Ernst Reuter, Otto Suhr, speaker of the Berlin City Council; Jakob Kaiser, the former CDU leader in the Eastern zone who was deposed from his office by the Russians; and Dr. Reiff of the Liberal Democratic Party.

The Communists' attitude toward the convention was laid down by Reimann in the opening meeting. They deny that the Bonn convention has any authority to draft a constitution for Western Germany. Reimann submitted a motion to the effect that the "Parliamentary Council was instituting discussions on a separate West German constitution," and warned that the Bonn meeting would have disastrous consequences on the Moscow and Berlin negotiations. After rowdy scenes that recalled the debates in the prewar German Reichstag, his motion was defeated with only the two Communists supporting it.

As in the Philadelphia Convention of 1787 that drew up the American Constitution, the principal issue at stake in the Bonn gathering revolved around the distribution of power between the central government and the states. The London agreement stipulates that the Western German government shall be federal in character, but then what is federalism? The United States Constitution, as it is interpreted and applied today, would seem perilously like an *Einheits-Staat* (unified state) to James Madison and most of the Philadelphia delegates.

The Social Democrats are the champions of a strong central government. They would like to see the Western German government have powers closely analogous to those of the Weimar Republic. Their views on the subject have been embodied in a report bearing the name of Walter Menzel, the SPD minister of the interior in the Government of North Rhine Westphalia.

The Christian Democratic-Christian Socialist bloc, on the other hand, wants a central government of limited powers with all rights not expressly given to it reserved to the states. The

Bavarians, in particular, are the exponents of the states-rights school of thought, and their ideas have found expression in the so-called "Ellwangen Document" named after the town in Württemberg where this paper was drafted by a group of Bavarian politicians last spring.

Generally speaking, it may be said that the Social Democrats represent the ideas of Alexander Hamilton so far as central government is concerned, whereas the Christian Democrats embody the Jeffersonian ideas of states' rights.

As the SPD and CDU/CSU are equally balanced in the Bonn convention, the struggle between the unionists and the federalists is likely to prove close and tense, with the issue perhaps being decided ultimately by the 11 voters of the minor parties.

The principal point at issue will probably center around what body is to raise and distribute the taxes—the central government or the states.

In the Bismarckian Reich the central government could indeed raise revenue from custom duties, but for most of its funds it was dependent upon the states. But under the Weimar Republic, the central government levied practically all the taxes, including income taxes, and distributed part of these revenues to the states, which were therefore rendered financially dependent on Berlin.

This reform, the work of the able Center Party financial expert, Matthias Erzberger, constituted what is probably the most important distinction between imperial Germany and the Weimar Republic. Bonn may witness a bitter controversy as to whether the future Western German government will adhere to the Erzberger reform or set the clock back to Bismarck's day.

Some idea of what the future constitution of Western Germany may contain, or what the chief issues are that will be fought out before the Bonn convention, may be gleaned from the majority report submitted by the Chiemsee conference. This was a body of 22 men—two from each state—appointed by the ministers president to work out a draft to be laid before the Bonn convention as a basis for its debates. These delegates met from August 10-22 in the gorgeous palace built by King Louis II of Bavaria upon an island in the middle of the idyllic Chiemsee.

The Chiemsee experts recommended that the Western German state should constitute a "state-

fragment" (*Staats-Fragment*), not a "full state" (*Vollstaat*). This was done to stress the provisional character of the Western German constitution.

This solution was chosen as the best of three alternatives. The other two possibilities were (1) creation of a Western State which it was feared would be tantamount to separation; (2) a formation of a "German federal republic" with claims to exerting its authority over all Germany, even though it was obvious that it could not make its laws effective in the Russian zone. This alternative was regarded as being too aggressive in character and was not seriously considered.

The Chiemsee majority report recommends that the states shall have control over educational and cultural affairs but that the central government shall have far-reaching powers in the matter of financial legislation. It specifies that the central government shall have exclusive legislative authority to impose custom duties and shall have priority in regard to legislation concerning income and property taxes as well as sales and consumption taxes.

It is proposed that the union shall have a bicameral parliament. The lower chamber shall be a *Bundestag* representing the people, like the American House of Representatives; while the Upper House, the *Bundesrat*, shall consist of representatives of the states. Unlike the American Congress, however, the delegates of the *Bundesrat* shall not be elected by the people, but shall be appointed by the state governments, as in the Weimar Republic.

The majority report further recommends that the executive branch of the government should be headed by a *Bundespräsident*. He is to be elected by the joint votes of the two houses of parliament just as the French president is elected by the National Assembly.

The Chiemsee experts propose that the Western German state should have the cabinet system of government as is common in Europe, in preference to the American presidential system in which the chief executive remains in power for a fixed period of time.

The Chiemsee majority report also suggests that the West German state should be called the "League of German States."

The struggle in the Bonn convention between the

unionists and the federalists is foreshadowed by two proposals concerning the text of the preamble to the constitution. According to one version, constitutional power emanates from the German people, while according to the federalist school of thought, the source of power resides in the individual states.

Social Democratic headquarters have made clear, however, that they did not consider the Chiemsee report as a document that had to be accepted or rejected *in toto*. Fritz Heine, the party secretary at Hannover, said that the Chiemsee paper might well "be thrown in the wastebasket" although he conceded that some points from it might be incorporated in the future German constitution. But he declared that the SPD would never consent to the proposal that the West German state should be called a "League of German States"—a name that doubtless suggested to him a Confederation rather than a Union.

Coincident with the drafting and ratification of a constitution for Western Germany, two other important papers in accordance with the London agreement will be promulgated. One is the Occupation Statute, which will be decreed by the three Western powers. This document will serve as the Magna Carta of the people of Western Germany, defining their rights *vis-à-vis* the occupying powers.

The second will be alteration of German state boundaries which the German leaders had been authorized to make. It seems likely at present that only one such change will be made, namely the amalgamation of Baden and Württemberg. This merger would be a territorial reform all to the good, since it would correspond to the claims of both history and tradition and would create a well balanced state in southern Germany approximately equal to Lower Saxony in respect to population.

The work of the Bonn convention bids fair to be an historic milestone in Germany history. The creation of a political government for Western Germany will be an important step towards the ultimate unification of all Germany. The Western German state will be a magnetic force that will tend to attract into its orbit the part of Germany now under Russian rule. In this sense, the Western German state may well play the same role for

(Continued on page 526)

THIRD REGULAR SESSION OF THE GENERAL ASSEMBLY

World Confidence and the Reduction of Armed Forces: The American Objective

REMARKS BY AMBASSADOR WARREN R. AUSTIN¹

U.S. Delegate to the General Assembly

I discuss the proposal of the Soviet Union for a one-third reduction in the armed forces of the permanent members of the Security Council. The question of the prohibition of atomic weapons, which is provided for in the plan of the United Nations Atomic Energy Commission, is now being considered by a subcommittee of this committee.

Two years ago the General Assembly of the United Nations recommended that the Security Council formulate practical measures to provide for the general regulation and reduction of armaments and armed forces. On February 13, 1947, the Security Council established for this purpose the Commission for Conventional Armaments.

It is significant that, in the year and a half of the Commission's operations, the Soviet Union found no occasion to introduce this proposal which we have before us. Furthermore, I call to the attention of this Committee the fact that nine of the eleven members of the Commission for Conventional Armaments have agreed upon what they consider the essential principles which should govern the formulation of proposals for the regulation and reduction of armaments and armed forces. The Soviet Union has not accepted these principles. Let us examine these principles in an effort to determine whether or not the proposal brought forward by the Soviet Delegate today meets the standards set by the great majority of the members of the Conventional Armaments Commission. They determined that a system of regulation and reduction of armaments and armed forces can only be put into effect in an atmosphere of international confidence and security. Nine out of eleven report that one example of conditions essential to security is the establishment of an adequate system of agreements under article 43 of the Charter. This position was not limited to the United Kingdom and the United States as asserted by Byelorussia.

Is the Soviet Union prepared to permit the United Nations to have effective armed forces on the basis of the principles considered essential by the other permanent members of the Security Council? The actions of its representatives in the Military Staff Committee and the Security Council do not indicate this to be the case.

Another condition considered essential by the majority is the establishment of effective, enforceable international control of atomic energy. I hope that the Soviet Union will find it possible to accept the only system of international control and prohibition which the majority have found adequate.

Another condition essential to world confidence and security is the conclusion of the peace settlements with Japan and Germany. It is impossible for any nation to determine its military requirements for self-preservation until these conditions have been accomplished. But can conditions of confidence and security be created as long as one of the permanent members of the Security Council blocks the formulation of a lasting peace?

Can there be confidence and security when one of the permanent members of the Security Council creates a threat to peace by imposing a land blockade of Berlin?

Can there be confidence and security when one of them refuses to participate in the efforts of the Security Council to remove this threat to world peace?

Can there be confidence and security when one of them frustrates the efforts of all the other occupying powers for a pacific settlement of the dispute?

I call your attention also to the fact that the principles considered essential by nine of the eleven members of the Commission for Conventional Armaments also call for a system of adequate safeguards which, by including an agreed system of international supervision, would insure the observance of the provisions of the resolution or convention by all parties. These, too, must precede the initiation of any disarmament.

The crucial aspect of this question is the steadfast refusal of the Soviet Union, in the study of atomic-energy control and in the field of conventional armaments, to agree in common with other members to the opening of its territory to representatives of the United Nations so that they might

¹ Made before Committee I (Political and Security) in Paris on Oct. 12, 1948, and released to the press on the same date. Printed also as Department of State publication 3319.

determine whether the agreements are being carried out.

Does any member of this committee think for a moment that the Members of the United Nations should disarm while the Soviet Union gives no evidence whatsoever that it is willing to participate in the world community to the extent required for the control of atomic energy and the regulation of armaments?

In its resolution the Soviet Union proposes a system of supervision and control "within the framework of the Security Council." The objective in steering this proposal into the Security Council, with the veto as the trap door, is too obvious to permit serious consideration. Such attitude is an ancient one; the Soviet proposals for disarmament made in 1927 at Geneva were really aimed at another objective than disarmament, as shown in a resolution of the sixth congress of the Communist International:

"The aim of the Soviet proposal was not to spread pacifist illusions, but to destroy them; not to support capitalism by ignoring or toning down its shady sides, but to propagate the fundamental Marxian postulate, that disarmament and the abolition of war are possible only with the fall of capitalism. . . ."

I ask again—Why has Mr. Vyshinsky presented his proposal to this body instead of to the Commission for Conventional Armaments? Could it possibly be for propaganda effect?

The world situation is too grave to permit any further play with words. I say this deliberately after listening to hour after hour of Soviet oratory. In a most revealing manner our Soviet colleagues have, during the past two weeks, exposed to us not only the vanity of such word structures but also their emptiness.

Mr. Vyshinsky has mentioned his aversion to war. He has, in particular, depicted at great length the horrors of atomic warfare. He has freely—very freely—in quoting from one of his favorite American magazines translated the expression "technical improvement" into the word "progress" on the part of the United States in manufacturing even deadlier atomic bombs than that used at Hiroshima. He has then proceeded to wave this distorted example of American inventiveness in the face of dismayed and already overwrought mankind.

Is it not strange that in this "paean of peace" he has placed the accent on atomic warfare? Consistently he has dwelt on the frightful effects of the ever bigger and better atomic bombs which he generously attributes to American resourcefulness and efficiency. Is it not strange that except for a word here and a sentence there he has not placed the accent on war, just plain war? Is it not curious that, instead of concentrating his ire

on that desperately out-of-date ultimate instrument of the policy of nations, he has confined his highest flights of oratory purely to atomic warfare?

I accept the recent challenge of my Soviet colleague to study Marxian teaching as currently expounded today in the Soviet Union for the answer to Aggressive warfare in the Soviet Socialist Republics. Officialdom has not yet fallen into disrepute. In the time being only atomic warfare is to be dreaded and avoided at all costs. Indeed war itself is still a recognized means of achieving Communist world society.

The Soviet Union for more than a year has pretended to devote itself to a so-called "peace offensive". Mr. Vyshinsky has spoken much of the peaceful intentions of the Soviet Union as contrasted to the alleged warlike and aggressive intentions of the United States. Yet by what evidence are we to judge the peaceful intentions of the Soviet Union?

In the first place there is a vast Communist literature which reveals much concerning the intentions of the Soviet Union. If these writings are outdated, not valid, or do not represent the policy of the Soviet Union, assurance of that fact followed by concrete action, would begin to move the apprehensions felt by many seated at this table. But until that time we have no course other than to accept as valid the statements which have been made repeatedly by authoritative representatives of the Soviet Union.

We hope it is not true that the Soviet Union believes and acts on the premise that a conflict between Russia and the Western World is inevitable, and we hope that Mr. Vyshinsky can assure us that such is not the case.

Yet the *History of the Communist Party of the Soviet Union*, a book whose tenth anniversary publication was celebrated last month in Moscow which has been printed in 62 languages and distributed in more than 33 million copies, states that "Lenin has pointed out that war is an inevitable concomitant of capitalism." This history, which is taught the length and breadth of the Soviet Union, teaches that there are just wars, wars which are waged, for example, "to liberate the people from capitalist slavery."

In a book published in 1947 entitled *The Economy of the U.S.S.R. During World War II*, the Deputy Premier of the U.S.S.R. and Chief of the State Planning Commission states as follows:

"Lenin and Stalin warned the Socialist homeland again of the inevitability of historical battles between imperialism and socialism and prepared the peoples of the U.S.S.R. for these battles. Lenin and Stalin explained that wars which a working class, having defeated its own bourgeoisie, wages in the interests of its socialist homeland are in the interests of strengthening and developing socialism, are lawful and holy wars. . . ."

"To prevent the possibility of appearance within a future period of new imperialist aggression against the Socialist homeland, and the beginning of a third world war, it is necessary that the aggressor imperialist countries be disarmed militarily and economically, and that the anti-imperialist democratic countries rally together. It should not be forgotten that the capitalist economic system abroad of itself produces aggressive wars and the leaders of such wars. . . ."

Finally, Mr. Chairman, as recently as September 22, 1948, the Soviet newspaper *Izvestia* stated:

"The capitalist system is doomed to destruction. However, the downfall of capitalism will not come of itself. Capitalism can only be destroyed by a fierce class struggle."

If the Soviet Union regards those governments which do not subscribe to Communism as the representatives of the "capitalism" it seeks to destroy, then how can we avoid feeling apprehensive? Then we hear Soviet representatives talk about the peace offensive, we recall that in April 1948 Communist Party publication in Paris defined "final victory over war" as "victory over capitalism". Is this not a ghastly definition of peace? It is clear that in the Soviet Union war is not only regarded as inevitable but is actually glorified by its cultural leaders.

Issue no. 44 of the *Literary Gazette*, which, like Soviet publications, carries official sanction, only two years ago stated the following:

"We do not intend to abandon the war theme. . . . We must write about war in such a way that the generation of young Soviet people which comes after us will love arms and be ready for battles and victories."

Perhaps Mr. Vyshinsky can show us that official utterances, some of them made less than a month ago, were not intended to mean what they say. Perhaps Mr. Vyshinsky can withdraw the thesis that a war between the Soviet Union and the capitalist countries is inevitable and that Communism teaches that our system must be destroyed. Until he does, however, we cannot ignore the warnings in the writings of Soviet authorities. So much for Soviet philosophy and the peace mind which it may inspire in their non-Marxist neighbors.

Now let us briefly consider whether peace of mind can be assured by the past actions of the U.S.S.R.

The aggrandizement of Soviet territory has already been referred to. Indignantly the Soviet delegation has asserted that these annexations had been effected with democratic consultations of the populations according to the enlightened standards of the Soviet Constitution. Does this statement

stand analysis? Even more, does it stand the test of Mr. Vyshinsky's beloved "critique"? Let us consider eastern Poland. Somehow I seem to remember that the democratic processes of annexation started in September 1939 by a sudden overnight military offensive against an already defeated foe. This conquest was conducted in full harmony and technical cooperation with the Nazis. The Soviet Union approved by the stroke of a pen on August 23 of that year the alliance, and suddenly became a working partner with the oft-denounced Nazis. And did not Generalissimo Stalin, after the Nazi-Soviet partition of Poland, telegraph to Ribbentrop, the Nazi Foreign Minister: "The friendship of the people of Germany and the Soviet Union, cemented by blood, has every reason to be lasting and firm." As to the "democratic" ratification of the inclusion of this large part of prewar Poland in the Soviet Union by the populations themselves, we learn little (and I think we all would keenly be interested to hear) about details thereof from the Soviet Delegation. However, it really should not be necessary to seek far for enlightenment. Any nation, any individual with any kind of experience of universal suffrage does not have to be told a great deal about the democratic character of elections and plebiscites which yield 99-percent results.

The Baltic States also began on their "voluntary" road to incorporation by the arrival of the Red Army in the fall of 1939, followed by their complete takeover after the French campaign of 1940, at a time when there was no question of liberating these small countries from an enemy yoke. We recall that the entrance of the Latvian Republic into the Soviet Union was presided over by no less a person than my distinguished colleague, Mr. Vyshinsky.

Let us pass on down the years. First, we encounter the "great hope", the hope generated in the bosom of every generous human being when the embattled Russian people played such a great part in defeating Nazi Germany, when hope was kindled that the relentless doctrines of Marx and of Lenin, doctrines of hatred between classes and also of inevitable strife, had made way for a more enlightened concept of relations between men and states.

For a long while most people clung tenaciously to this hope, unwilling to yield and abandon their vision that a new world, at last better, with unlimited possibilities for the future, had dawned. They insisted on disbelieving the evidence. Gradually the realization developed that, indeed, nothing was changed.

Is it really necessary to go into details regarding the domination of Rumania, Poland, Hungary, Albania, Bulgaria, Czechoslovakia, and Yugoslavia? Recent events in truly impressive detail have disclosed that the price of Soviet friendship is complete subservience to Soviet policy.

The satellites of the U.S.S.R. were not alone to feel the heavy hand of its constant drive for world power, a drive camouflaged by words appropriated from liberty's lexicon, words of vital meaning to those who enjoy freedom, but deceptive and meaningless in the Russian policy toward her satellites.

Cause for disillusionment and alarm also exists in the Orient, as the distinguished representative of China gave testimony yesterday. There, too, Communist directives preach war and bloodshed, which facts confirm. In a lengthy resolution adopted by the sixth world congress of Communist International at Moscow on September 1, 1928, the following directive concerning China is found:

"The Communist Party (in China) must everywhere propagate among the masses the idea of Soviets, the idea of the dictatorship of the proletariat and peasantry, and the inevitability of the coming revolutionary mass armed uprising."

That "mass armed uprising" preached from Moscow in 1928 is now in full swing. The people of Manchuria after long years under Japanese domination and after having their factories despoiled of equipment by the Soviet Army are now suffering untold hardships from armed Chinese Communist forces who are seeking by force to destroy the constituted authority of China, whose representatives sit here among us today as fellow members. These Communist forces have also penetrated into the heart of China seeking to destroy and despoil. Another dangerous development has occurred. The U.S.S.R. obtained as part of its price for entering the war against Japan special positions at Port Arthur and Dairen, Chinese territory, which have been so utilized effectively to bar China from exercising its legal authority.

In Korea, where a people of 30,000,000 held high hopes for complete independence at the end of the war in the Orient in September 1945, those hopes have been and are being betrayed through Soviet opposition to any rational solution. That opposition moreover has been maintained in complete disregard of a resolution adopted by the General Assembly on November 14, 1947, providing a fair and honorable solution of the Korean problem. Can the Korean people look forward with equanimity to any solution when a large Soviet-trained armed force awaits in North Korea an opportunity to march southward?

The states of western Europe have also been the victims of this new form of aggression. The Cominform was formed so as better to correlate the work of destruction to be accomplished. At all costs western Europe must not regain its feet, for should it do so it would successfully resist Communist penetration. At all costs the homeland of Western civilization must be kept in a constant

state of turmoil and economic chaos. It must be kept in a state of fear and worry, so as to be unable to concentrate on the great task of reconstruction. The economic blood transfusion from the United States must at all costs be nullified by recurring strikes and curtailed production. The Communist Parties of France, Italy, the United Kingdom, Belgium, the Netherlands, and Luxembourg received their orders accordingly, and with the unreasoning discipline which is one of the many terrifying aspects of modern Communism the various Communist Parties proceeded to execute the deliberate plan of sabotage.

Overnight the Communist slogan was no longer "work and produce" as it had been in the first post-liberation period. As soon as it became obvious that returning health would protect the bodies politically against the Communist view, the new slogan became "destroy and wreck."

Perhaps most surprising of all is the complete brazenness with which these so-called national parties admit their allegiance to a foreign power.

We have had a striking illustration right here in Paris since this General Assembly convened. The official Communist organ, *Humanité*, on October 1 published the following statement by the Politburo: "The people of France will never fight the Soviet Union." Let us ponder exactly what this means. A French political party declares openly that it will never participate in a war against another nation and this regardless of circumstances under which a conflict might develop. For "my country right or wrong" the Communists of all lands now substitute "U.S.S.R. right or wrong."

Are we dreaming? Can such tactics, such actions, such a record be those of one of the founders of the United Nations? Harking back to the day of hope, June 26, 1945, when the Union of Soviet Socialist Republics signed the Charter, what a crashing discord in the world's hymn of peace. Perhaps this apparent contradiction can best be explained by a quotation from Lenin with reference to Communist penetration of trade unions (Left-wing Communism, an infantile disorder): "It is necessary to be able to withstand all this, to agree to any and every sacrifice, and even—if need be—to resort to all sorts of stratagems, maneuvers and illegal methods, to evasions and subterfuges in order to penetrate the trade unions, to remain in them and to carry on Communist work in them at all costs."

Let us for a few moments refresh our memory so as better to judge the record against the lofty purposes so well set forth in the Charter's preamble and first two articles:

WE THE PEOPLES OF THE UNITED NATIONS
DETERMINED

to save succeeding generations from the scourge

Department of State Bulletin

4. To be a center for harmonizing the actions of nations in the attainment of these common ends.

Article 2

The Organization and its Members, in pursuit of the Purposes stated in Article 1, shall act in accordance with the following Principles.

1. The Organization is based on the principle of the sovereign equality of all its Members.

2. All Members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfil in good faith the obligations assumed by them in accordance with the present Charter.

3. All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.

4. All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.

5. All Members shall give the United Nations every assistance in any action it takes in accordance with the present Charter, and shall refrain from giving assistance to any state against which the United Nations is taking preventive or enforcement action.

6. The Organization shall ensure that states which are not Members of the United Nations act in accordance with these Principles so far as may be necessary for the maintenance of international peace and security.

7. Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII.

With complete candor, I shall now speak about the security situation in which we must consider the proposal of the Soviet Union for a one-third reduction of armed forces. In doing so, I quote from a statement that Secretary of State Marshall made before the Foreign Affairs Committee of the House of Representatives of the United States on May 5, 1948. He said that—

"When universal agreement to the Charter was achieved, the strength of the major powers in relation to one another was such that no one of them could safely break the peace if the others stood united in defense of the Charter. Under existing world circumstances the maintenance of a comparable power relationship is fundamental to world security."

To what extent did the United States demobi-

war, which twice in our lifetime has brought untold sorrow to mankind, and

to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and

to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and

to promote social progress and better standards of life in larger freedom,

AND FOR THESE ENDS

to practice tolerance and live together in peace with one another as good neighbors, and to unite our strength to maintain international peace and security, and

to ensure, by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest, and

to employ international machinery for the promotion of the economic and social advancement of all peoples,

HAVE RESOLVED TO COMBINE OUR EFFORTS TO ACCOMPLISH THESE AIMS.

Accordingly, our respective Governments, through representatives assembled in the city of San Francisco, who have exhibited their full powers found to be in good and due form, have agreed to the present Charter of the United Nations and do hereby establish an international organization to be known as the United Nations.

Article 1

The Purposes of the United Nations are:

1. To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace;

2. To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace;

3. To achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion; and

October 24, 1948

lize? Let me cite the statement made by Secretary Marshall before the Women's National Press Club in Washington on July 1, 1947:

"... At the end of the war our government demobilized the greatest concentration of military power that the world has ever seen. Our armed strength was deployed from the Elbe in Germany to the Islands of Japan. This great array was demobilized with amazing rapidity until only comparatively small garrisons of troops were left on the necessary occupation duty in the principal enemy countries. No conditions were attached to this withdrawal. . . . No political parties subservient to United States interests have been left behind in European countries to attempt conquest of governments from within. No American agents have sought to dominate the police establishment of European countries. No 'joint American-European companies' have been forced upon reluctant governments. I do not cite this record as evidence of our peaceful intentions by way of indulging in national boasting, but merely because it is true. . . ."

During this period it has become progressively clearer that serious misconceptions prevail in the minds of the leaders of the Soviet Union. It is a misconception to suppose that differing systems cannot live side by side in peace under the basic rules of international conduct prescribed by the Charter of the United Nations. These rules are obligatory upon all Members.

The United Nations must dispel these misconceptions of the Soviet leaders. It must bring about a more realistic view of what is possible and what is impossible in the relationship between the Soviet Union and the world at large. This will restore to international society the equilibrium necessary to permit the United Nations to function as contemplated at San Francisco.

The United States realized the need for this equilibrium. The first necessary step was to insure the freedom and independence of the Members of the United Nations. The ability of democratic peoples to preserve their independence in the face of totalitarian threats depends upon their determination to do so. That determination in turn depends upon the development of a healthy economic and political life and a genuine sense of security.

The United States Government, therefore, is responding to requests to provide economic assistance to various countries in Europe and elsewhere. The United States is cooperating with 16 European countries in a recovery program providing for self-help and mutual aid.

In addition the United States Government is now considering the steps necessary to bring the national military establishment to the minimum level required for international security.

* A/C.1/319 of Oct. 10, 1948, and A/C.1/309 of Oct. 1, 1948.

Action necessary on the part of the United States to restore this balance-of-power relationship may be less onerous than for some other nations which are already spending a very large percentage of their national income on armaments. The United States for the fiscal year 1948-49 is spending only 5.9 percent of its national income for military purposes, despite the fact that this represents some increase over the low point since the war. This is to be compared with the figure of 17 percent for the Soviet Union mentioned by Mr. MacNeil the other day.

Gentlemen, I repeat that, until present conditions of world fear and insecurity are replaced by an atmosphere of international confidence and security, not only will it be impossible to institute effective systems of control and reduction of armaments but the whole field of international relations will be subject to continuous discord.

The people of the United States are deeply interested in the reduction of national armaments and are prepared to consider most carefully any *bona fide* proposal for lightening the burden of armaments. As a matter of fact, however, the United States disarmed too far and too fast after the last war. The overriding consideration is the maintenance of international peace and security. We know that maintenance of this international peace and security depends upon strength and resolution of those states who in the final analysis are prepared to act in support of the world community against aggression.

Indeed, the security of many nations seated at this table depends upon this fundamental fact. The world learned from Germany and Japan what can happen when leading members of the international community are or are thought to be lacking in strength or resolution. I call upon the Soviet Union to work with us to reduce world tension and to dispel the dread and suspicion which are filling the lives of so many of our peoples and making our efforts for world organization so difficult.

Before closing I wish to state that the Delegation of the United States has considered carefully and will vote for the resolutions which have been submitted to this committee by the Delegations of the United Kingdom and Syria. Taken together these resolutions are entirely consistent with the position of the United States. Article 26 of the Charter provides "that— . . . the Security Council shall be responsible for formulating . . . plans to be submitted to the Members of the United Nations for the establishment of a system for the regulation of armaments."

Despite the fact that the work of this Commission has continued to be hampered by the demagogic appeals and irresponsible propaganda of the Soviet Union, the United States believes that the Commission must proceed with its work.

Discussion of the Palestine Situation in Committee I

STATEMENT BY RALPH BUNCHE¹

Acting U.N. Mediator in Palestine

It is with heavy heart that I make this statement to the Committee today. But for that crime in Jerusalem committed by a band of despicable gangsters it would be Count Bernadotte himself who would be speaking to you now. The late mediator was not only my chief but a treasured friend. In these months since the end of May, I had come to know him well. He was an utterly honest and fearless man, completely independent in his thinking, and thoroughly devoted to the effort to bring peace to Palestine. He had no axe to grind, no vested interest to serve. The views which I will briefly express to you today will, I think, be very close to the views which Count Bernadotte himself would have expressed had he lived to enjoy the privilege of sitting with you, a privilege which he would have greatly appreciated.

The progress report of the late mediator which I submitted to you as document A/648, sets forth quite clearly in part one the views of Count Bernadotte on the main issues in the Palestine conflict today.² I need not repeat these views, and the more so since I am in full accord with them. If I may take the liberty of doing so, however, I would like briefly to give some emphasis to what appears to me to be the inescapable logic of the situation in Palestine with which this Assembly is now confronted.

Since the termination of the mandate on May 15 of this year, there have been three signal developments in Palestine:—The proclamation of a Jewish state, resort to forceful measures by the Arab states, and the intervention of the Security Council.

1. A Jewish state was proclaimed in that part of Palestine envisaged for the Jewish state in the resolution of the General Assembly of last November 29. That Jewish state did not come about in accordance with the processes and procedures foreseen in the Assembly's resolution. But it was no less real because of that and it could confidently assert its right to exist on the fact that the majority of the Members of the United Nations had endorsed the idea of a Jewish state in Palestine, a mandated territory and therefore an international responsibility, moreover, this was no nominal or paper state. From the very day of its proclamation it had a vibrant reality. It boasted an active and vigorous government, a national *esprit* and cohesion, and a well organized and well trained, if poorly equipped, army. It was a going concern

from the day of its birth. It was readily apparent to even the casual observer that the nationalist spirit of the Jewish inhabitants of this state was so strong and deeply rooted as to render entirely illusory any suggestion that a Jewish state in Palestine could be prevented by any means other than force of sufficient strength to completely crush the Jewish community. In the five months since its inception, this Jewish state has consolidated and strengthened its position, both nationally and internationally.

2. On the other hand, Arab opposition to the new Jewish state was so intense as to induce the Arab states to resort to violent measures. Open warfare between the newly proclaimed Jewish state and the states members of the Arab League broke out coincidentally with the termination of the mandate and the proclamation of the Jewish state. This, of course, had not been envisaged by the resolution of November 29. Until halted by the two truces achieved through the intervention of the Security Council, it was warfare as deadly as it could be made with the limited weapons and supplies available to the contestants. It was warfare brought on by the fact that the Jews had taken the political offensive on the termination of the mandate and proclaimed a state, while the Arab states, in retaliation, took the military offensive and moved their troops into Palestine with the avowed purpose of protecting the Arab inhabitants of Palestine by crushing the infant Jewish state. This military effort was exerted not by the Arabs of Palestine but primarily by the armies of the Arab states with the objective of protecting the Arabs of Palestine from an alleged danger of Jewish domination. It cannot be said that the Arabs had not given ample warning of their firm intentions in this regard. Their willingness to resort to this extreme action is an accurate gauge of the intensity of Arab feelings as regards the injustice to them of a Jewish state in Palestine.

3. By the intervention of the Security Council the warfare in Palestine has been twice stopped and at present remains stopped. In fact, the resolution of the Security Council of July 15, 1948, which ordered both parties to cease fighting, al-

¹ Made on Oct. 15, 1948, and printed from telegraphic text.

² For conclusions of the report, see BULLETIN of Oct. 3, 1948, p. 436.

though it makes reference to a truce of undefined duration, also prohibits any further recourse to military action as a means of settling the dispute. The imposed "truce" of July 18 is really a permanent cease-fire order. The opposing armies have now been confronting each other since July 18, but they are forbidden to resume fighting. If either side should provoke a resumption of hostilities it would have to do so in open defiance of the order of the Security Council and thereby run the risk of invoking the threat of sanctions embodied in the July 15 resolution. The Security Council order stands and it cannot be assumed that either side will wish to run the risk of shouldering responsibility for open defiance of this order by a deliberate resumption of hostilities. On the other hand, this permanent cease-fire order, which is also described in the resolution as a truce, has been regarded by both parties as a truce, and therefore of temporary rather than permanent duration. Moreover, it has been administered and supervised as a truce. The armies have not been withdrawn or demobilized. On the contrary, they have been confronting each other in full battle array, and alerted for battle, for almost five months now, except for the intense fighting during the nine day interval between the two truces. The strain and tension are very great, and it is most assuredly not a situation which can be maintained indefinitely. The existing truce clearly must be superseded by something more durable and secure—either a formal peace or an armistice, either of which would be more consistent with the Security Council order than the present precarious truce.

It is unthinkable that Arabs and Jews should be permitted to resume hostilities in Palestine. The threat to the peace of the Middle East generally and even to the world from conflict in Palestine, is far too great.

There have already been some danger signals of outside interests in the conflict, which might render doubtful any assumption that a renewed conflict could be confined to Palestinians and the Arab states.

The role of mediator was defined in resolution 186 (S-2) of the General Assembly of May 14, 1948. Among other functions that resolution directed the mediator to "use his good offices to promote a peaceful adjustment of the future situation of Palestine". This was the function to which Count Bernadotte devoted major concentration from the beginning of his effort in Cairo on May 28, although the supervision of the truce under the resolution of the Security Council, and more recently, the tragic refugee problem, consumed much of his time and energy.

In directing his attention towards achieving a peaceful adjustment of the Palestine situation, the mediator was confronted with the necessity of defining the premises upon which his efforts would

be based. His decision in this regard was a practical one, dictated in large measure by circumstances entirely beyond his control.

Arab representatives, for example, with whom he consulted frequently and at great length, constantly emphasized what they would describe as the historic injustice of the Balfour Declaration, the terms of the mandate, the mandate itself, the Jewish nationalist aspirations, and the resolution of the General Assembly of 29 November on the one hand, and the fundamental equality and democracy of an Arab state in the whole of Palestine on the other. Count Bernadotte, however, quite rightly in my view, did not regard it as within his purview to pass judgment upon the validity of the justice of decisions previously taken by the international community. On the same ground, and, in view of the nature of his terms of reference, for instance, he did not consider himself to be rigidly bound by the details of the resolution of the General Assembly of 29 November but recognized, nevertheless, that its basic conclusions represented the expressed will of more than two thirds of the members of the United Nations, and could not, therefore, be ignored.

It is undeniable, therefore, that in his approach to the problem, Count Bernadotte was inevitably influenced by the fact that, Arab opposition notwithstanding, there had been, especially during the past 30 years, a progressive recognition by the international community of a special position for the Jewish community in Palestine, culminating in the resolution of 29 November and the proclamation by the Jews themselves of a state of their own in a part of Palestine.

On the other hand, the mediator was not influenced by that part of the claims of the Jews for a historic right to Palestine based upon their ancient residence in that country and their religious association with it, rather than formal international sanctions. He did not accept, therefore, the Jewish contention that it was they who were always called upon to compromise. Since he could not accept their alleged historical claims to the whole of Palestine, including Transjordan, he could not admit the contention that acceptance of the 29 November resolution constituted a compromise on their part, and that any alteration in the terms of that resolution not favorable to them would compound a compromise previously made.

It was within this *milieu* that the mediator through four months of negotiation of unprecedented intensity, strove, by trial and error, through reason and persuasion and every other honorable means, to find a common ground upon which the conflicting parties might meet. This common ground was never found. That it was not found was due entirely to the intransigence of the parties. On the fundamental issues, each side remained adamant.

In view of this fact, the mediator was forced to the conclusion that it was not now possible, by means of an intermediary, to bring the two parties together and achieve agreement between them. The Arab representatives steadfastly refused to meet the Jewish representatives, either in the presence of the mediator or otherwise, since they considered any such step as a tacit admission on their part of the right of the Jewish state to exist.

The mediator, however, did not conclude from these facts that the problem of Palestine cannot be solved by peaceful means, or that a basis for agreement between the parties can never be found. Failure to bring the parties together would, it is true, preclude any immediate possibility of a timely, definitive solution, which is very much to be desired. But there was an alternative which derived precisely from the very rigidity of the parties who were at the same time in the predicament of having to defy the Security Council in order to resort to the simple expedient of trial by force of arms.

It was with this in mind that the mediator pointed out in paragraph 10 on page 4 of his report that:

"Although it cannot be said that neither side will fight again under any circumstances, I am strongly of the view that the time is ripe for a settlement. I am reasonably confident that given the permanent injunction against military action issued by the Security Council, and firm political decisions of the General Assembly, both sides will acquiesce, however reluctantly, in any reasonable settlement which is placed the stamp of approval of the United Nations. I do not mean to imply that there is at the moment bright prospect for formal agreement between the two parties. But, in my opinion, though such formal agreement would be highly desirable, it is not indispensable to a peaceful settlement at this stage. What is indispensable is that the General Assembly take a firm position on the political aspects of the problem in the light of all the circumstances since its last session, and that its resolution be so reasonable as to discourage any attempt to thwart it and to defy the Security Council order by the employment of armed force."

It was on the basis of this assumption also that the mediator considered it highly essential that the question of Palestine come before the General Assembly at this time and that the political aspects of the problem be reviewed and unequivocally pronounced upon in the light of all the relevant factors.

In my opinion, in the present circumstances, two needs are uppermost in the most imperative sense. The first of these needs is a reasonable basis for the assumption that neither party will again resort to force in order to make its views prevail and as a means of gaining its objectives. In this regard, reason for hope is to be found in the fact that

settlement by force has been tried and has been checked. I do not find it possible to believe that either side wishes to resume hostilities or that either side has found settlement by force of arms a profitable expedient. Despite the conflict which has raged in Palestine and despite the gulf which still divides the antagonists, there is on both sides a desire and a need for peace arising from the fact that war is a costly, even disastrous, interruption in the normal course of development of both Arab and Jewish communities in the Middle East.

The second of these needs is for the General Assembly, as the representative body of the international community, to set forth its position on the following fundamental political issues affecting this former mandated territory with regard to which its responsibility continues:

- A. Permanent peace in Palestine.
- B. The Jewish state in Palestine.
- C. The general configurations of the boundaries of such a state.
- D. International guarantee for such boundaries.
- E. The future status of Jerusalem.
- F. The disposition of the Arab-controlled area of Palestine.
- G. Guarantees for the rights of all inhabitants of Palestine.
- H. The repatriation and resettlement of Arab refugees.
- I. The nature of the machinery to be employed as a vehicle for continuing United Nations intervention in the problem until all of its major aspects are finally disposed of.

It would not appear essential in this regard that a detailed plan, a blueprint, be devised for this purpose. Indeed, any such detailed scheme, in view of all the developments since last November, and the present situation in Palestine, might well be undesirable. Assuming always that the parties do not again resort to force, it would seem that a somewhat general treatment of the subject, which while making clear the position of the United Nations on major issues would leave to the parties the burden of peaceful adjustment, might have great merit.

The conclusions set forth in part one of the mediator's report might well provide a basis for a general treatment of this kind. These conclusions represent the constructive deductions which Count Bernadotte had arrived at on the basis of his extensive and fruitful consultation on the problem over a period of four months. He did not presume to present them as recommendations to any organ of the United Nations. As the mediator's report points out in paragraph 13 on page 5, these conclusions were designed of settlement and conciliation of the differences between the two parties. It was, indeed, his intention to renew in Paris his consultations with the representatives of the parties in pursuance of the elusive objective of mutual

agreement between them. It was his thought that if the conclusions set forth in the report could not be accepted by Arabs and Jews as a basis for discussion they still would be available to the General Assembly for such use as it might see fit to make of them. Count Bernadotte harbored no illusions, that either Arabs or Jews would embrace the conclusions in their entirety, nor did he deem it essential for them to do so, however desirable that might be. He was convinced, as I am convinced, that the

voice of the United Nations speaks with considerable authority in Palestine; this voice, in truth, was the sole foundation of his effort and his challengeable achievements.

At the appropriate time, should the Committee desire it, I would be pleased to present a statement dealing exclusively with the conclusions in the report and giving an explanation and elaboration of each of them, and also the answer to any question regarding the report.

The United States in the United Nations

[October 15-22]

The Roll of the United States

George F. Kennan, in his address before the Herald-Tribune Forum on October 20,¹ stated that if we mean business in our determination to make the United Nations work, we must remember that we have before us a task "as difficult and as arduous as any that this country has ever tackled in peace or in war". If that is our purpose, he said, then we must shape and align the realities of international life so that they "speak for themselves with an eloquence greater than words—that they convince the skeptical as words have thus far failed to do, that the road of international collaboration is after all the fastest, the most practical, and the safest of the paths of national policy. And where people are not open to argument on considerations of the common good, then they must be shown that this same conclusion flows even from the narrowest and most embittered sense of self-interest, which it does.

"This is the job we have to do.

"It is not, in reality, a new task, or one that lies only before us. We have already been deeply engaged in it for a long time.

"And it is not our task alone. It is a responsibility which we share with the other peace-loving nations of the world. It is entirely fallacious to regard the differences which now separate the United States and the Soviet Union merely as a struggle between those two powers. The conflict which exists inside the United Nations is not a conflict between the United States and the U.S.S.R. It is a conflict between the majority of the U.N. members, acting in support of the Charter, and a group of governments who refuse to abide

by its provisions or to recognize the overriding international obligation which the Charter constitutes.

"We have now reached one of the most complicated and delicate phases of this long and difficult effort. We have been compelled to place before the United Nations a matter of great seriousness which it had proven impossible to compose by peaceful means outside of the United Nations. We were aware that this would constitute a severe test of the organization, and one which we would have preferred to have spared it. But we had no alternatives other than to meet the threat of force with action in order to break the blockade of Berlin, or to do nothing at all and thus permit this threatening situation to develop in an ominous silence and uncertainty, conducive to every sort of alarmist speculation and hysteria.

"This is a situation which is easy neither for us nor for our friends. It is going to take all we can bring to it in the way of steadiness and understanding and mutual confidence. But we must always understand that on the successful resolution of it there hangs more than the removal of restrictions on the supply of a single city; there hangs the removal of one more great obstacle on the road to a world in which international organization can really function."

The Berlin Crisis

A resolution aimed at peaceful solution of the Berlin crisis was presented to the Security Council in Paris on October 22 by six neutral nations (Argentina, Belgium, Canada, China, Colombia and Syria) which have been striving to solve the problem since it was posed by the United States, Great Britain, and France.

The text of the resolution follows:

The Security Council having carefully considered the series of events which have led to the present grave situa-

¹ For the complete text of Mr. Kennan's address, see Department of State press release 853 of Oct. 20, 1948.

in Berlin, conscious of the council's primary responsibility for the maintenance of international peace and security, and acting in accordance with Article 40 of the Charter in order to prevent an aggravation of the situation in Berlin, in particular, by preparing the way to its settlement, calls upon the four governments who have responsibilities in Germany and in Berlin as the occupying powers—France, the United Kingdom, the United States of America and the Union of Soviet Socialist Republics.

1. To prevent any incident which would be of a nature such as to aggravate the present situation in Berlin,
2. To put into effect, simultaneously, namely on the day of notification of this resolution to the four governments concerned, the steps required for the fulfilment of points (a) and (b), which are set forth hereunder:

(a) Immediate removal by all parties of all restrictions on communications, transport, and commerce between Berlin and the Western zones of Germany, and the restrictions on transport and commerce to and from the Soviet zones of Germany, it being understood that said restrictions are the ones applied by the parties after the 1st day of March 1948.

(b) An immediate meeting of the four military governors to arrange for the unification of currency in Berlin on the basis of the German mark of the Soviet zone. The four military governors will fix the conditions for the production, circulation and continued use of the German mark of the Soviet zone, as sole currency for the whole of Berlin, and to arrange for the withdrawal of the Western mark.

All the foregoing to be in accordance with the terms and conditions defined in the joint directive delivered to the four military governors in Berlin, agreed upon by the four governments in Moscow, and issued on 30 August, 1948, and to be carried out under the control of the quadripartite financial commission, whose organization, powers and responsibilities are therein described.

This measure must be totally fulfilled by the date indicated in Paragraph (c).

(c) The date referred to in the last part of paragraph 3 shall be the 20th November 1948.

3. Within 10 days following the fulfilment of the measures provided for in Section Two, or on such date as is mutually agreed between the four governments, to reopen the negotiations in the Council of Foreign Ministers on outstanding problems concerning Germany as a whole.

Palestine

The Security Council on October 19 ordered a halt to the fighting between Israeli and Egyptian forces over supply routes to the Negev area in southern Palestine. The Council also reminded the parties in the Palestine dispute of their obligations under the Council's blanket cease-fire orders. The last such order, dated August 19, was unconditional and had no time limit.

The Council met at the request of Acting U.N. mediator Ralph Bunche after U.N. truce officials failed through their own efforts to halt the Negev clashes.

The resolution adopted by the Council on the Negev fighting was submitted by Syria and embodied Dr. Bunche's recommendations. The first part of the resolution, ordering the immediate cease-fire, was adopted unanimously. The rest of the resolution was adopted by a 9-0 vote, the Soviet Union and the Ukraine abstaining.

The resolution calls on both Israeli and Egyptian forces to withdraw from any positions not

occupied at the time of the Negev outbreak, which began on October 15. Conditions governing the passage of supply convoys to the Jewish settlements in the Negev are to be set by U.N. truce officials and both sides are required to negotiate, either directly or through U.N. truce machinery, any outstanding problems.

The Council reaffirmed its previous all-Palestine cease-fire orders by adopting unanimously the joint Chinese-British resolution submitted last week. It calls on the Palestine parties to ensure the safety of U.N. personnel and their ready access to all places where their duties require them to go, including airfields and ports. It also calls on the parties to do their utmost to bring to justice all persons assaulting U.N. personnel. A Soviet amendment accepted by the Council adds that U.N. observers should not go beyond objective reports to the Council.

On October 21 Dr. Bunche set Friday noon (GMT) as the deadline for Israeli and Egyptian forces fighting in the Negev, Palestine's southern desert, to cease fire. The Security Council had previously issued the cease-fire order.

Dr. Bunche transmitted the deadline by cable simultaneously to the Israeli and Egyptian Governments through U.N. Representatives in Tel Aviv and Cairo.

Atomic Energy Resolution Adopted

Committee I completed its work on the atomic energy question on October 20 by approving, 41 to 6, with 10 absentions, a four-point Canadian proposal, as amended, to continue consultations aimed at establishing an effective system of international control and outlawing atomic weapons. This proposal will go to the General Assembly, where a two-thirds majority is required for adoption.

The General Assembly

Having examined the first, second and third reports of the Atomic Energy Commission which have been transmitted to it by the Security Council in accordance with the terms of the General Assembly resolution of 24 January 1946:

1. Approves the general findings (part II C) and recommendations (part III) of the first report and the specific proposals of part II of the second report of the commission as constituting the necessary basis for establishing an effective system of international control of atomic energy to ensure its use only for peaceful purposes and for the elimination from national armaments of weapons in accordance with the terms of reference of the AEC.

2. Expresses its deep concern at the impasse which has been reached in the work of the AEC as shown in its third report and regrets that unanimous agreement has not yet been reached.

3. Requests the six sponsors of the General Assembly resolution of the 24th of January, 1946, who are permanent members of the Atomic Energy Commission, to meet together and consult in order to determine if there exists a basis for agreement on international control of atomic energy to ensure its use only for peaceful purposes and for the elimination from national armaments of atomic weapons and to report to the General Assembly results of their consultation not later than its next regular session.

4. Meanwhile the General Assembly calls upon the AEC to resume its sessions, to survey its program of work, and to proceed to the further study of such of the subjects remaining in the program of work as it considers to be practicable and useful.

The effect of the resolution is to turn the stalemated issue of atomic energy control over to the United States, U.S.S.R., the United Kingdom, France, China, and Canada to see whether they can find a basis for agreement between now and the time when the General Assembly meets for its next regular session.

The resolution as adopted is a revision of the proposal originally submitted by Canada and reported out by a special subcommittee. The original draft would have left the issue to the five major powers and Canada to solve the impasse created by the Soviet Union, and would have directed them to report at the next regular session. Meanwhile, the Atomic Energy Commission itself would have been inactive.

In announcing the United States' acceptance of the wishes of the other nations, Ambassador Austin emphasized that in agreeing to the revision, the United States was not retreating from its oft-stated view that the solution to the control impasse is outside the AEC's competence and "that other means of establishing cooperation must be explored".

Non-Self-Governing Territories

At a meeting of the Trusteeship Council in Paris on October 18 the United States supported an Indian resolution calling on states administering non-self-governing territories to notify the General Assembly of changes in territorial constitutional position or status resulting in discontinuance of transmission of information called for under provisions of the Charter.

The resolution was adopted by a vote of 29 to 0, with 17 abstentions, after a Polish attempt to broaden the resolution and Belgian efforts to limit it were rejected.

Terming the resolution "logical and proper." Francis B. Sayre, U. S. Delegate said:

"The United States now transmits voluntarily information regarding the development of institutions of self-government within its territories. Even in the absence of such a resolution, the United States would expect to inform the United Nations of any change in constitutional position and status of any of its territories as a result of which it believed it unnecessary in respect to such territory to transmit further information under the Charter and in so doing to give such accompanying information as might be appropriate. In voting for this resolution, it is the understanding of my Government that transmission of the information requested does not alter the right of each administering state to determine constitutional position and status of any particular territory under its sovereignty".

Cooperation Resolution

The five major powers found themselves in agreement on October 21 as each expressed support for a Mexican resolution appealing to the great powers to "redouble their efforts, in a spirit of solidarity and mutual understanding, to achieve in the briefest possible time final settlement of the war and the conclusion of all peace treaties".

Unqualified support for the resolution was voiced by the United States, the United Kingdom and China. The Soviet Union and France also endorsed the resolution but suggested rewording. In addition, seven other nations spoke for adoption of the Mexican appeal.

The United States was the first of the great powers to speak out in favor of the Mexican resolution, the speaker being John Foster Dulles, of the U.S. Delegation. The statement was Mr. Dulles' first at a formal meeting of the current General Assembly.

Mr. Dulles emphasized that although the major powers have the right of initiative regarding the peace treaties, this right must be used "affirmatively and constructively, and if not so used, the consequences are of concern to all members of the United Nations".

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

North Pacific Regional Air Navigation Meeting of ICAO

BY CLIFFORD P. BURTON

The North Pacific Regional Air Navigation Meeting held at Seattle, Washington, July 13-29, 1948, under the auspices of the International Civil Aviation Organization (ICAO) was the eighth in the original series of ten regional meetings scheduled by ICAO to survey aviation facilities throughout the world. Upon the completion of the series ICAO will have an index of facilities needed by international civil aviation on all the important air routes of the world. The remaining regional meetings projected by ICAO are the African-Indian Ocean Meeting and the South-East Asia Meeting.

The work of the regional air-navigation meetings, namely, the provision of safe and adequate transportation to international travelers, is basic to all ICAO programs in the technical field. The United States as host government provided the international secretariat for the Seattle meeting with assistance from the technical staff of ICAO Montreal.

Nine voting countries were present: Australia, Canada, China, the Netherlands, New Zealand, the Philippines, Siam, the United Kingdom, and the United States. In addition, Chile, the Dominican Republic, Poland, and the Union of Soviet Socialist Republics sent observers. International organizations represented were the International Air Transport Association, the International Meteorological Organization, and the United Nations.

The main meeting was preceded by a meeting of a fact-finding group which convened the week prior to the regional meeting in order to examine and document operational data for the convenience and use of the main meeting. The Seattle meeting was the first time such a group was convened. Once it proved its usefulness, the pattern will be made use of at subsequent regional meetings.

The organization employed at the North Pacific Regional Air Navigation Meeting was similar to that used at previous regional meetings. It consisted of the General Committee, Subcommittee 1 of the General Committee, and technical committees in the fields of telecommunications and radio aids, meteorology, search and rescue, air-traffic control, aerodromes, air routes, and ground aids. The General Committee did not handle any substantive material as all technical matters were handled by its No. 1 Subcommittee or in the other technical committees. Clifford P. Burton, Chair-

man of the United States Delegation, was elected Chairman of the meeting, with Colonel Cheng-Fu Wang of China and Colonel Sphrang Devahdstin of Siam elected First Vice Chairman and Second Vice Chairman respectively.

The results of the meeting were quite satisfactory to the United States as the United States position, as approved by the interdepartmental Air Coordinating Committee, was upheld to a high degree. Specific accomplishments in the technical fields are given in the brief summary that follows.

Flight Operations.—Problems in connection with this subject were handled by the No. 1 Subcommittee of the General Committee. The Committee recommended slight alterations in the boundaries of the ICAO regions to exclude the northern portion of Alaska and to extend the southwestern boundary southward to include the Philippines and the eastern coast of China (and Hong Kong). A standard altimeter setting of 29.92 inches of mercury was recommended for the ocean areas excluding the area approximately 100 miles from the shore line. In these latter areas a QNH value for altimeter settings will be utilized for both terrain clearance and altitude separation. In the field of dimensional units it was agreed that the yellow table published by ICAO would be used over the land areas of the United States and Canada with an exception thereto in the ocean areas and the Aleutian chain wherein nautical miles and knots would be substituted for statute miles per hour. The subject of publications and manuals was handled in connection with NOTAM procedures, and the position of the United States was upheld in its entirety.

Aerodromes, Air Routes, and Ground Aids.—The Committee selected regular, alternate, and supplementary aerodromes required for North Pacific air routes. Also, certain aerodromes by class were selected for improvements. It recommended that all aerodrome improvements be completed as rapidly as possible but in no case later than July 1, 1953. The Committee agreed that obstruction marking and ground markers should exist on air routes, that night lighting should be provided at all regular and alternate aerodromes, and that approach lights should be visible where instrument landing systems are installed and where practical at all other regular and alternate aerodromes.

ACTIVITIES AND DEVELOPMENTS

Air Traffic Control.—The Committee recommended the establishment of flight information regions over most of the water areas of the North Pacific. Approach and aerodrome control service was recommended for those aerodromes where the traffic density justified their establishment. During the development of supplementary procedures for this region, the Committee recommended that action be taken to amend the South Pacific supplementary procedures so as to be consistent with the North Pacific supplementary procedures.

Telecommunications and Radio Aids to Air Navigation.—The Committee recommended additional point-to-point and air-ground aeronautical communication circuits to take care of meteorology, air-traffic control, and search-and-rescue requirements. In addition, recommendations were made for additions to the aeronautical radio-navigation aids to meet the needs of the present and proposed routes and aeronautical services operating within the region.

Aeronautical Meteorology.—The Committee reviewed the existing system of meteorological telecommunications and prepared detailed requirements for the exchange of meteorological information between the various meteorological offices as well as for broadcast to aircraft in flight. The Committee recommended the establishment of eight ocean weather ships, the exact location to be determined in general by the implementing state, taking into consideration the requirements of the other technical services such as search and rescue, telecommunications, and air-traffic control.

Search and Rescue.—The Committee reviewed and tabulated the search-and-rescue facilities provided in the region and recommendations for certain additions were made to meet the minimum requirements for the region.

U.S. Delegation to International Tin Study Group

The Department of State announced on October 13 the composition of the United States Delegation to the Third Meeting of the International Tin Study Group, scheduled to open at The Hague on October 25, 1948. The Delegation is as follows:

Chairman

Donald D. Kennedy, Chief, International Resources Division, Department of State

Advisers

Gillon Curtis, Jr., American Embassy, The Hague
Carl Ilgenfritz, Vice President, United States Steel Corporation
Charles W. Merrill, Chief, Metal Economics Branch, Bureau of Mines, Department of the Interior
Erwin Vogelsang, Chief, Tin and Antimony Section, Non-ferrous Metals and Minerals Division, Department of Commerce

W. F. McKinnon, Associate Director, Office of Metals Service, Reconstruction Finance Corporation
Evan Just, Director, Division of Strategic Materials, Economic Cooperation Administration

The International Tin Study Group will receive the report of its working party which met at The Hague in June. It will also review the world statistical position of tin and discuss common problems in connection with production, consumption, and trade in tin.

The International Tin Study Group was established upon a recommendation of the World Tin Conference, held at London in October 1946, in which the principal tin-producing and -consuming countries of the world sent representatives. The last meeting of the Group—the second—was held at Washington, D.C., April 19–24, 1948.

U.S.–Mexican Fisheries Conference

[Released to the press October 25, 1948]

Fisheries problems of mutual interest to the United States and Mexico will be the subject of discussion between the two Governments at a conference to be held in Mexico City beginning October 25.

In line with its program of advancing measures designed to conserve fisheries resources of the high seas the United States is interested in entering into a joint fisheries-conservation agreement with Mexico. However, the present talks are primarily of an exploratory nature, it was emphasized, and delegates are expected to make recommendations for later consideration by the various federal agencies, interested state governments, and representatives of industry.

The United States and Mexico have several bilateral agreements by which the two countries have harmoniously achieved the solution of special fisheries problems in a spirit of friendly cooperation. The equally outstanding success of the bilateral fisheries conventions between Canada and the United States, by means of which the valuable halibut and sockeye-salmon fisheries have been conserved and developed, makes it appear that cooperation in the sphere of fisheries with our southern neighbor would also be mutually beneficial.

THE CONGRESS

Report of Activities of National Advisory Council on International Monetary and Financial Problems. Message from the President of the United States transmitting report of the National Advisory Council on International Monetary and Financial Problems covering its operation from Oct. 1, 1947, to Mar. 31, 1948. H. Doc. 737, 80th Cong., 2d sess., vi, 56 pp.

Calling on the President for Information Concerning the Potsdam Agreements and Violations Thereof by Soviet Russia. S. Rept. 1440, 80th Cong., 2d sess., to accompany S. Res. 213. 11 pp.

Amending the Trading with the Enemy Act. S. Rept. 1619, 80th Cong., 2d sess., to accompany S. 2764. 8 pp.

THE RECORD OF THE WEEK

U.S.S.R. Travel Restrictions for Diplomatic Personnel

SUPPLEMENT TO 1941 LIST

The American Embassy at Moscow has received a circular note from the Foreign Office of the U.S.S.R. The note, dated September 30, 1948, refers to the Foreign Office note of May 16, 1941, terms indicating that the restrictions of that note are still considered in effect and in supplement hereto transmits a new and greatly expanded list of points and localities in or to which travel is prohibited for members of the staffs of foreign missions and consulates. For all practical purposes the list covers the entire territory of the U.S.S.R. Certain omissions, such as points in the Georgian Republic and Yakutsk, U.S.S.R., are notable; the principal additions are the newly acquired territories, such as Sakhalin.

In theory, travel is permitted through certain areas, but one cannot reach those areas without crossing forbidden zones.

The restriction to 50 kilometers radius of Moscow is entirely new, not having been included in the 1941 note. Travel even in this small radius is subject to so many exceptions—i.e., *raions* (districts) where travel is forbidden even though less than 50 kilometers distant—that to all intents and purposes members of the foreign missions are restricted to Moscow city limits.

American correspondents have written stories about the new restrictions, but their stories have been held up by the Soviet censor.

NOTES OF MAY 16, 1941, AND SEPTEMBER 30, 1948

[Translation]

PEOPLE'S COMMISSARIAT
FOR FOREIGN AFFAIRS
140

NOTE VERBALE

The People's Commissariat for Foreign Affairs has the honor to bring to the attention of the [] Mission the information that, beginning from this date, the Government of the U.S.S.R. has established a procedure whereby the travel on the territory of the U.S.S.R. of diplomatic and consular representatives in the U.S.S.R. of foreign missions, as well as of employees of foreign embassies, missions and consulates, may take place only on condition that such persons previously inform the appropriate organs of the People's Commissariat for Foreign Affairs, the People's Commissariat for Defense and the People's Commissariat for the Interior, with regard to trips planned, indicating the itinerary, the points of stop-over and the length of travel, so that such trips may be registered by the above-mentioned organs.

At the same time, the same Decree of the Soviet Government has declared as prohibited (forbidden) the points and localities in the U.S.S.R.

Not here printed.

Not here printed. A note attached to the list reads as follows:

Members and employees of embassies, missions and consulates are allowed to travel without notifying in advance the appropriate organs of the Ministry of Foreign Affairs of the USSR or the Ministry of Armed Forces of the USSR in a radius of 50 km. from Moscow, with the exception of the following *raions* of Moscow oblast: Dmitrov,

enumerated in the list which is attached hereto.¹
Moscow, May 16, 1941.

[To all Embassies and Missions]
Moscow

[Translation]

MINISTRY OF FOREIGN AFFAIRS
OF THE USSR
No. 1130/Pr.

The Ministry of Foreign Affairs of the USSR presents its compliments to Embassies and Missions and has the honor to communicate that after revision of the list of forbidden points and localities of the USSR transmitted with note no. 140/Pr. of the People's Commissariat for Foreign Affairs of the USSR, dated May 16, 1941, the Government of the USSR has approved a new list of forbidden points and localities of the USSR, which is attached hereto.²

Moscow, September 30, 1948

Seal no. 1 of the

Ministry of Foreign Affairs of the USSR.

[To all Embassies and Missions]
Moscow

Zvenigorod, Kuntsevo, Krasnogorsk, Krasnopolyansk, Podolsk, Ramensk, Tushino, Khimki and Shchelkovo, where travelling is forbidden.

As an exception, it is permitted to go to the cities of Klin and Zagorsk as well as to Yasnaya Polyana (Tula oblast), providing the travellers proceed along the main automobile highway and have notified in advance the Ministry of Foreign Affairs of the USSR or the Ministry of Armed Forces of the USSR about the trip.

October 24, 1948

Relaxing of Visa Restrictions by U.S. and Belgium

[Released to the press October 15]

The Belgian Government, as of October 15, 1948, will waive visa requirements, but not passport requirements, for American citizens proceeding to continental Belgium for transit or for a period of stay not exceeding two months.

The United States, because of existing laws, may not reciprocate in identical terms. However, the United States will grant passport visas without fees and valid for a period of 24 months, instead of the present 12 months' period of validity of such visas, to Belgian nationals who are proceeding to the United States and its possessions for business or pleasure purposes, and who are *bona fide* nonimmigrants within the meaning of the immigration laws, provided the Belgian passport of each bearer remains valid during the period of validity of the visa.

Visas Not Required for Italy

[Released to the press October 5]

The Department of State has been advised that at the present time the Italian Government does not require visas of American tourists for travel to Italy. It has also been advised that as of November 1, 1948, visas will not be required of American citizens for visits to Italy either for business or pleasure.

Since the Registration Act of 1940 requires that all persons other than American citizens entering this country must have United States visas, it is not possible to dispense with visa requirements in the case of Italian citizens coming here. However, as of November 1, the United States will reciprocate to the extent of issuing visas gratis for those Italians coming to this country temporarily for business or pleasure. These visas will be valid for a period of 24 months. In the case of Italians wishing to immigrate to the United States, immigration visas costing \$10 will continue to be required.

Negotiations on Treaty of Friendship Between U.S. and Ireland Resumed

[Released to the press October 15]

The Department of External Affairs of Ireland and the American Legation in Dublin announced on October 15 that negotiations have been resumed at Dublin for the purpose of concluding a comprehensive treaty of friendship, commerce, and navigation between Ireland and the United States. Exploratory discussions were initiated last May,

and it is now hoped by the two Governments that it will be possible to reach final agreement with the near future.

This is the most comprehensive treaty of its kind that Ireland has undertaken to negotiate with a country. The provisions of the text now being put in shape by representatives of the two Governments will lay a broad, long-term, contractual basis for the economic relationships between Ireland and the United States and for the fundamental rights and privileges that the nationals of each country enjoy in the other. Currently, these are largely based on treaties concluded between Britain and the United States during the nineteenth century. The new agreement is expected to modernize pertinent features of these old treaties and to contain also many new clauses that reflect present-day needs and developments.

The discussions are being pursued in a spirit of mutual appreciation of the common ideals and outlook of the two nations.

Constitution-Making at Bonn—Continued from page 510

Germany that the kingdom of Piedmont did not unify Italy in the nineteenth century.

It may be regarded as a striking coincidence that the Bonn convention is meeting on the one hundredth anniversary of the German Revolution of 1848. The Frankfurt Parliament that met that year tried to establish German unity on the basis of liberty and democracy but failed because of the political dilettantism of many of the delegates and because of the lack of vision of the King of Prussia. German unity was, instead, effected on the basis of autocracy by the methods of militarism with disastrous consequences not only to the Reich but to the whole world.

Today the Bonn Parliamentary Council is attempting to make good where Frankfurt failed in establishing German political union on a democratic foundation. The combined German-American Carl Schurz Memorial Celebration, which was held in Frankfurt just two days after the opening of the Bonn convention to do honor to the Forty-Eighters who emigrated to America, was a significant reminder of the close and sympathetic interest with which not only United States Military Government but the American people are following the efforts of the men of Bonn to carry out their mission to a successful conclusion.

Double Taxation: Discussions With Greece

[Released to the press October 14]

Discussions between American and Greek technical experts looking to the conclusion of treaties for the avoidance of double taxation and for administrative cooperation in prevention of tax evasion with respect to income taxes and to taxes on estates of deceased persons will be held at Athens in the latter part of November.

If the discussions are successful and a basis for agreement is found, they will result in the preparation of draft treaties which will be submitted by negotiators to their respective governments for consideration with a view to signing.

In preparation for the discussions, the American delegation will welcome conferences with interested parties or statements and suggestions from them concerning problems in tax relations with Greece. Communications in this connection should be addressed to Eldon P. King, Special Deputy Commissioner of Internal Revenue, Bureau of Internal Revenue, Washington 25, D.C.

Negotiations of Certain Tariff Concessions Sought by Brazil, Ceylon, Cuba, and Pakistan

As was indicated in the DEPARTMENT OF STATE BULLETIN of October 3, 1948, page 445, it was decided at the second session of the contracting parties to the General Agreement on Tariffs and Trade at Geneva from August 16 to September 14, 1948, because of special problems facing Brazil, Ceylon, Cuba, and Pakistan, certain tariff concessions granted by these countries to the other contracting parties would be the subject of renegotiations.

The purpose of these renegotiations is to reach agreement upon adjustments in the rates of duty on the items which are listed below for each country. The renegotiations are to be carried out bilaterally between the pairs of countries chiefly interested in the particular concessions involved. However, any modifications in the schedules of tariff concessions of these four countries agreed upon during such bilateral negotiations must receive final approval by all of the contracting parties.

The views of interested persons with regard to the renegotiations should be submitted to the Committee for Reciprocity Information, which is a committee established to receive views on trade-agreement matters. Since it is proposed to have initial discussions between each of these countries and the United States on products of primary interest to the United States as soon as possible, it is suggested that any such views will

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be of the most value if submitted within the next 30 days. All communications on these matters should be addressed to The Secretary, Committee for Reciprocity Information, Department of Commerce, Washington 25, D.C.

The items which will be the subject of renegotiation are given in Department of State press release 825 of October 11, 1948. The negotiations may also include consideration of new concessions on products not now in the respective schedules of any of the four countries or additional concessions on products already in such schedules.

Austria Extended Time for Renewing Trade-Mark Registrations

The extension of time until and including February 28, 1949, for renewing trade-mark registrations with respect to Austria was granted by the President in proclamation 2816 (13 *Fed. Reg.* 5927) on October 9, 1948.

China Makes Lend-Lease Payment

[Released to the press October 13]

The Department of State announced on October 13 that the Government of China has paid to the Treasury of the United States \$2,824,930.75, representing the second annual installment on principal and interest of the lend-lease pipeline agreement with China.

This agreement, concluded in June 1946, represented lend-lease material on order by the Chinese Government at the end of the war, totaling approximately \$51,000,000. The agreement provides for repayment over a 30-year period at 2½ percent interest.

Appointment of U.S. Member to International Joint Commission

The Department of State announced on October 11 the appointment by President Truman of Eugene W. Weber, Special Assistant to the Assistant Chief of Engineers for Civil Works, Department of the Army, as a member of the United States Section of the International Joint Commission, United States and Canada. This appointment fills the vacancy on the United States Section of the Commission which has existed since the death of R. Walton Moore, Counselor of the Department of State, on February 8, 1941. The Commission will hold its semiannual meeting in Ottawa, Canada, beginning October 12, 1948.

Belgium and Luxembourg Join in U.S. Fulbright Plan

[Released to the press October 8]

Belgium, Luxembourg, and the United States signed on October 8 an agreement under the Fulbright act, putting into operation the program of educational exchanges authorized by Public Law 584, 79th Congress. The signing took place in Brussels, with Education Minister Camille Huysmans representing the Belgian Government, the Chargé d'Affaires for Luxembourg representing that country, and Ambassador Alan G. Kirk representing the United States. It was the seventh agreement signed under the act, previous agreements having been made with the Governments of China, Burma, the Philippines, Greece, New Zealand, and the United Kingdom.

The agreement provides for a United States Educational Foundation in Belgium to assist in the administration of the educational program financed from certain funds resulting from the sale of United States surplus property to these countries. The present agreement provides for an annual program of the equivalent of \$150,000 in Belgian francs for educational purposes. The program will include the financing of "studies, research, instruction, and other educational activities of or for citizens of the United States of America in schools and institutions of higher learning located in Belgium, the Belgian Congo, and Luxembourg, or of the nationals of Belgium, Belgian Congo, and Luxembourg in the United States schools and institutions of higher learning located outside the continental United States . . . including payment for transportation, tuition, maintenance, and other expenses incident to scholastic activities; or furnishing transportation for nationals of Belgium, the Belgian Congo, and Luxembourg who desire to attend United States schools and institutions of higher learning in the continental United States . . . whose attendance will not deprive citizens of the United States of America of an opportunity to attend such schools and institutions."

The Foundation in Belgium will have an eight-man Board of Directors, the honorary chairman of which will be the United States Ambassador to Belgium. Members of the Board will consist of five United States citizens resident in Belgium including a representation from the United States Embassy in Brussels, two citizens of Belgium, and one citizen of Luxembourg.

In discussing the program in Brussels, Ambassador Kirk said:

"I am very happy about the agreement, because I believe it will continue the tradition of exchange

¹ For an account of the Commission's first meeting, see Department of State publication 3313.

of students between our universities which has resulted in producing many leaders of thought, education, and government in Belgium and Luxembourg. Also there has been created an outstanding body of Americans who know and love the culture of your country. Even more, with great interest now being taken by our universities and private foundations in the United States providing fellowships for foreign students, I look forward to an increasing number of the young men and women of Belgium and Luxembourg finding such opportunities in our country. Although the development of such a program necessarily requires time, its importance is well understood in educational circles in the United States. This is definitely not a one-way street, along which only American traffic will pass.

"During the past year, ten fellowship students went to the United States for advanced study under the auspices of the Belgian-American Educational Foundation. Others were sent by American Rotary, and the American Association of University Women provided for several students. There are even cases where the American students themselves, at some of our universities, have contributed the funds or the expenses of selecting foreign students. This, I sincerely believe, is only a beginning. The cordial regard which our countries have for each other will assure that this two-way street will be well traveled."

Information about specific opportunities for American citizens to study, teach, or undertake research in Belgium, Luxembourg, or the Belgian Congo will be made public in the near future. Inquiries about these opportunities and requests for application forms should be addressed to the following three agencies: Institute of International Education, 2 West 45th Street, New York 19, N.Y. (for graduate study); United States Office of Education, Federal Security Agency, Washington 25, D.C. (for teaching in Belgian elementary and secondary schools); and the Conference Board Associated Research Councils, 2101 Constitution Avenue NW., Washington 25, D.C. (for teaching at the college level and for post-doctoral research).

Second Meeting of Educational Exchange Advisory Commission

Consideration of the basic principles of United States educational exchanges with specific reference to the problems of Eastern Europe and Iron Curtain countries was undertaken at the second meeting of the United States Advisory Commission on Educational Exchange in a two-day session, October 18 and 19.¹

In addition, the Commission discussed problems presented to it by George V. Allen, Assistant Secretary of State for public affairs, concerning the disposal of art objects now in this country from occupied countries.

Sales and Transfers of Nondemilitarized Combat Matériel

[Released to the press October 12]

List of consummated sales of surplus combat matériel, effected by the Department of State in capacity as foreign-surplus disposal agent, during

the months of February, April, May, July, and August, 1948, and December 1947, as reported to the Munitions Division of the Department through October 11, 1948, and not previously announced is as follows:

Country	Description of matériel	Procurement cost	Sales price	Date of transfer
Philippines	Spare parts for aircraft engines	\$22,648.70	\$1,132.44	8/7/48
	Miscellaneous spare parts for machine guns, armored cars, and cleaning and preserving materials.	22,236.01	9,609.11	8/27/48
China	Miscellaneous parts and equipment for aircraft	5,093,273.15	891,322.80	7/29/48
	42 P-47-D Aircraft (militarized)	6,781,451.00	544,500.00	8/7/48
Denmark	255 Aircraft engines (for C-46s and C-47s)	3,798,547.50	393,500.00	8/16/48
Iceland	Torpedo boat T-19 (non-demilitarized)	(1)	5,000.00	Feb. 48
	5 Minesweepers to Finnish Purchasing Mission (demilitarized).	2,911,250.00	175,000.00	5/5/48
Italy	1 Minesweeper to Italian national (demilitarized)	582,250.00	25,050.00	4/10/48
Peru	Helmets and liners	74,500.00	7,450.00	8/19/48
Netherlands	66 Tank engines—to be demilitarized for scrap	192,030.00	50,000.00	8/3/48
	Miscellaneous ordnance equipment	1,877.00	303.10	8/13/48
	Ammunition	1,560.00	80.00	8/13/48
Germany	Ex-German freighter, <i>Drau</i>	(1)	422,500.00	7/26/48
United Kingdom	1 LST for scrap (demilitarized)	2,171,280.00	1,800.00	12/17/47
Venezuela	Miscellaneous gas masks and repair kit, bayonets, binoculars, carbines, clinometers, machine guns, truck mounts, helmets and liners.	63,507.91	7,206.01	8/16/48

Captured enemy matériel.

Korea, 1945 to 1948" Released

[Released to the press October 15]

The Department of State announced on October 15 the issuance of its newest publication, *Korea, 1945 to 1948*. This pamphlet reviews the political developments within Korea from the time of entry of the U.S. Army forces into that country to the present, with special emphasis on the period after March 1947 not covered by the Department's previous publication, *Korea's Independence*. It contains also a survey of Korean economic conditions and a supplementary selection of documents. The pamphlet, Department of State publication 3292, will be sold by the Superintendent of Documents, Government Printing Office, Washington D.C., for 25 cents a copy with a 25 percent discount to purchasers of 100 copies or more.

PUBLICATIONS

Department of State

For sale by the Superintendent of Documents, Government Printing Office, Washington 25, D.C. Address requests for information to the Superintendent of Documents, except in the case of free publications, which may be obtained from the Department of State.

October 24, 1948

Education: Cooperative Program in Peru. Treaties and Other International Acts Series 1740. Pub. 3166. 25 pp. 10¢.

Arrangement Between the United States and Peru—effected by exchange of notes signed at Lima April 1 and 15, 1944; entered into force April 15, 1944; And Memorandum of Agreement—Signed at Lima April 4, 1944; effective April 4, 1944; Supplementary Agreement No. 1—Signed at Lima January 30, 1945; entered into force January 30, 1945; Supplement to Memorandum of Agreement—Signed April 30, 1945; entered into force April 30, 1945.

Economic Cooperation with Iceland Under Public Law 472—80th Congress. Treaties and Other International Acts Series 1787. Pub. 3252. 69 pp. 20¢.

Agreement Between the United States and Iceland—Signed at Reykjavik July 3, 1948; entered into force July 3, 1948.

Economic Cooperation with Italy Under Public Law 472—80th Congress. Treaties and Other International Acts Series 1789. Pub. 3253. 55 pp. 15¢.

Agreement Between the United States and Italy—Signed at Rome June 28, 1948; entered into force June 28, 1948.

National Commission News, October 1948. Pub. 3292. 10 pp. 10¢ a copy; \$1 a year domestic, \$1.35 a year foreign.

Prepared monthly for the United States National Commission for UNESCO.

Departmental Regulations

270.1 Departmental Responsibilities in the Programs for Acquisition and Use of Foreign Currency and Credit Assets: (Effective 8-9-48) Experience with and responsibility for the use of foreign currency and credit assets within the Department have crystallized to the point where the existing arrangements can now be formalized in this regulation.

I GENERAL.

A Acquisition and Use. As a result of the sale of surplus property abroad and the making of lend-lease settlements, the United States has acquired foreign currencies and credits amounting to several millions of dollars and is in a position to acquire substantially more. These foreign currencies and credits can be and are being employed to provide funds for the acquisition or improvement of real property for the Foreign Service; to promote educational activities contemplated by the Fulbright Act; and, in some instances, to meet current Governmental expenses abroad.

B Specific Use. Except for expenses for an administrative staff, the Fulbright Program is being financed solely through the use of foreign currency and credit assets arising from the sale of surplus properties abroad and does not depend upon current appropriations. For the foreign buildings program and for Departmental administrative expenses abroad, foreign currency and credit assets, obtained either from surplus property sales or other sources, are purchased from the Treasury Department or from such other Government agency or corporation as may have such currencies or credits, with funds obtained from current appropriations specified for these purposes.

II OFFICE AND DIVISION RESPONSIBILITIES. Subject to the policy determinations and general supervision of the appropriate Assistant Secretaries and Office Directors, responsibilities under these programs are delegated as follows:

A Division of Organization and Budget (OB). OB will:

1 Coordinate Departmental planning for the use of foreign currencies and credits for the various programs and allocate available currencies and credits in accordance with approved plans. The coordinating responsibility includes clearance of proposals of the Division of Foreign Buildings Operations (FBO) and the Division of Exchange of Persons (IEP) for foreign currencies and credits to be drawn down from foreign governments and for reservation of foreign currencies on deposit in the Treasury; clearance of FBO and IEP requests for requisitions to foreign governments for currency draw-downs; and clearance of FBO requests for purchases of unreserved currencies from United States Government agencies.

2 Develop plans and recommendations for use of foreign currency and credit assets to pay Departmental administrative expenses abroad.

3 Maintain necessary liaison with and obtain required clearances from the Bureau of the Budget. Ascertain through the Bureau of the Budget that proposed plans for use of foreign currency and credit assets are in accord with the President's over-all program.

4 Review and approve necessary reports to the Congress or Bureau of the Budget on foreign-currency and credit-usage programs. IEP will be responsible for educational-program reports; FBO for buildings-program reports; OB for reports on general administrative expenses.

5 Prepare other consolidated reports as may be required; FBO, IEP, and other offices concerned supplying OB with any additional information required for this purpose.

6 Maintain a central record, by country and program, showing source, allocation, and utilization of foreign currencies and credits. As required, OB will issue reports, based upon this record, for the use of interested offices, such as FBO, IEP, Office of the Foreign Liquidation Commissioner (OFLC), and Office of Financial and Development Policy (OFD).

7 On request, provide technical advice on budget organization, and management matters relating to educational-foundation operations.

B Division of Finance (DF). DF will:

1 Act as the central drafting and transmitting point for all requests to draw down foreign currencies and credits for payments under surplus property, executive, and lend-lease agreements.

2 Conduct necessary liaison with the Treasury Department and other Government agencies and corporations from which foreign currencies may be purchased, regarding specific foreign-currency purchase transactions including liaison with respect to reimbursement from FBO and general administrative appropriations for foreign currencies purchased from whatever source.

3 Designate depositories for foundation funds.

4 Upon request provide technical advice and assistance in fiscal and accounting matters relating to acquisition and use of foreign currency and credit assets.

5 Prepare certification for Fulbright purposes under Treasury Regulation 799.

C Division of Exchange of Persons (IEP). IEP will:

1 Develop educational programs under the Fulbright Amendment to the Surplus Property Act.

2 Draft and negotiate through appropriate Departmental channels, executive agreements with other governments establishing educational programs.

3 Initiate requests, through OB, for concurrence of the Bureau of the Budget for the reservation of foreign currencies for the Fulbright Program.

4 Initiate requests, through OB, for reservation of foreign currencies by the Treasury Department.

5 Initiate requests, through OB for draw-down transfers of foreign currencies.

6 Initiate requisitions, through DF, for foreign currencies to be transferred to particular foundations from Treasury holdings.

7 Supervise, review, and issue regulations governing educational-foundation operations (including organization, budget, and fiscal operations).

8 Establish a basis for each foundation to maintain adequate current records of its operations.

9 Prepare reports on educational-program activities for transmission to the Congress, as required by public law (60 Stat. 755), and provide information on the Fulbright Program for inclusion in other Departmental reports.

D Division of Foreign Buildings Operations (FBO). FBO will:

1 Develop foreign-buildings programs utilizing available foreign currencies and credits under public law (60 Stat. 663).

ACTIVITIES AND DEPARTMENTS

2 Negotiate, through appropriate Departmental channels, agreements with foreign governments for the acquisition of property.

3 Initiate requests, through OB for reservations of foreign currencies by the Treasury Department.

4 Initiate requests, through OB and DF, for draw-downs or purchases of unreserved foreign currencies.

5 Initiate requests, through DF, for purchases of reserved foreign currencies.

6 Initiate, through OFLC, instructions authorizing acceptance of specific properties as payments in kind under the provisions of surplus-property and lend-lease agreements authorizing acceptance of property. FBO will furnish OFLC with the customary Certificate of Valuation, stated in terms of United States dollars, which will be used by OFLC as a basis for acknowledging the payment by the foreign government and for transfer of funds from the Foreign Service Buildings Fund to Miscellaneous Receipts (Proceeds of Surplus Property or Proceeds from Lend-Lease Settlements).

7 Prepare reports on utilization of foreign currency and credit assets in the buildings program as required.

Division of Financial Affairs (FN).

1 While the surplus property and lend-lease programs involve several divisions of OFD, FN is primarily responsible for the foreign-currency aspects of those programs. FN will:

a Make the basic economic- and financial-policy judgments regarding the acceptance of foreign currencies in lieu of dollar obligations. In those cases in which economic conditions do not warrant the acceptance by the United States of foreign currencies in lieu of dollars, the office responsible for the program for which the foreign currency is to be used, may forward a recommendation to the Under Secretary to accept the foreign currencies on other grounds.

b Determine whether foreign-currency provisions will be incorporated in new lend-lease agreements.

c Determine, in applicable cases, the policy with respect to the drawings of foreign currencies in lieu of United States dollars under the foreign-currency option authority.

d Amend, for countries whose economic and financial prospects warrant it, lend-lease agreements in order to authorize acceptance of local currency or payment in kind in lieu of payment in dollar obligations.

e Conduct necessary liaison with the Treasury Department and other interested United States Government agencies with respect to foreign financial-policy aspects of the programs including exchange rates, convertibility of foreign currencies and applicability of foreign-exchange control regulations.

f Review and clear proposed Fulbright executive agreements, certifications for Fulbright purposes under Treasury Regulation 799, proposed reservations for foreign currencies and credits for Departmental programs, and draw-downs of foreign currency and credit assets under surplus-property and lend-lease agreements for conformance to appropriate aspects of United States foreign financial policy including those relating to exchange rates, convertibility of foreign currencies, and applicability of foreign-exchange control regulations.

g Advise OFLC and the War Assets Administration (WAA) (or its successors) regarding the acceptance of foreign currency in connection with cash and credit sales of surplus property which cannot be made for dollars. Also advise OFLC and WAA (or its successors) in the formulation of agreement clauses granting the United States Government the option of drawing foreign currency in lieu of dollars.

2 The foreign buildings program, with respect to United States foreign financial-policy aspects, will be cleared between FBO and FN at the beginning of each fiscal year. Should it become necessary to make substantial variations in the original proposal, FBO will clear the changes in advance with FN.

F Legal Adviser (L). L will review Fulbright executive agreements for conformance with enabling legislation; draft and review proposed legislation affecting the use of foreign currencies and credits; and furnish necessary legal opinions regarding the use of foreign currencies and credits under existing legislation.

G Office of the Foreign Service (OFS). OFS will provide advice and assistance to the Office of Educational Exchange (OEX) on the administrative relationships between the Foreign Service establishments and educational foundations.

H Office of the Foreign Liquidation Commissioner (OFLC). OFLC will:

1 Review and clear instructions pertaining to the acquisition of foreign currencies and properties as payments under the provisions of surplus-property agreements, as well as under joint surplus-property and lend-lease agreements, except that routine acquisitions of foreign currency made in accordance with agreed procedures and within established allocations need not be individually cleared.

2 Maintain accounts necessary to establish records of payments received and balances due from foreign governments under surplus-property agreements.

3 Determine the terms of payment, including those relating to the acquisition of foreign currency and property, which will be incorporated in new surplus-property agreements and in appropriate amendments to existing agreements. With regard to the acquisition of foreign currency, OFLC will consult with FN.

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Contributors

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The Department of State BULLETIN, a weekly publication compiled and edited in the Division of Publications, Office of Public Affairs, provides the public and interested agencies of the Government with information on developments in the field of foreign relations and on the work of the Department of State and the Foreign Service. The BULLETIN includes press releases on foreign policy issued by the White House and the Department, and statements and addresses made by the President and by the Secretary of State and other officers of the Department, as well as special articles on various phases of international affairs and the functions of the Department. Information is included concerning treaties and international agreements to which the United States is or may become a party and treaties of general international interest.

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THE UNITED NATIONS AND SPECIALIZED AGENCIES

U.S. Proposes Six Sponsoring Powers Discuss Atomic Energy Issues

STATEMENT BY AMBASSADOR WARREN R. AUSTIN IN COMMITTEE I¹

U.S. Delegate to the General Assembly

The resolution of Canada now before the Committee, provides in paragraph 1 for approval by the General Assembly of the Atomic Energy Commission's plan of control and prohibition as set forth in the general findings (part II C) and recommendations (part III) of the first report, and the specific proposals of part II of the second report of the Commission. The plan was developed by, and we believe has the support of, the nations who have at any time served on the Atomic Energy Commission, with the exception of the Soviet Union, Poland, and the Ukraine; in other words, a majority of 14 states and a minority of 3.

The Soviets have recently announced that they would be willing to negotiate simultaneously two treaties which, as many speakers have already pointed out, would have to be closely interlocked. The Soviet proposal does not alter the conditions necessary for effective control. These conditions remain the same. They are laid down in the reports. They have been developed by the continuous work of the delegates of 14 nations. They have been discussed with the Delegates of the Soviet Union for over two years. It would do no good to repudiate this work and start all over again, if that were possible. The same facts, the same necessities, would require the same control. The facts of the problem, the nature of the fission process, indeed, the dual nature of U-235 and Plutonium, which may be used either as fuels or explosives, remains the same. The United States believes that the plan and present proposals of the United Nations Atomic Energy Commission constitute the necessary basis for establishing

effective control of atomic energy and prohibition of atomic weapons and will vote accordingly for paragraph 2 of the Canadian resolution, which is a simple expression of fact. Paragraph 3 of the Canadian resolution deals with the problem of how to get negotiations started again, so as to complete the treaty or convention on which certain work remains to be done. The Canadian resolution proposes a solution.

A number of other solutions have been suggested to solve the problem. One proposed solution is that of the Soviet Union. The Soviets have proposed in their resolution that we repudiate the work of the past two and a half years and start all over again under the terms of reference laid down by the General Assembly in 1946. But the Soviets interpret these terms of reference in a manner different from the interpretation given by the majority of the Commission. The Soviets interpret these terms of reference to mean that prohibition and control must be put into effect, simultaneously, and that control be simultaneous on all control activities. Their position was made perfectly clear in the statements which the Soviet Delegate, Mr. Malik, made before the Subcommittee. He desired that other nations should agree to the simultaneous conclusion and bringing into force of two conventions, one for control and one for prohibition, and ". . . that the Atomic Energy Commission should resume its work on the basis of the resolution of the General Assembly of January 1946". He then said, concerning the sys-

¹ Made on Oct. 18, 1948, and released to the press on the same date.

tem of stages contained in the General Assembly's resolutions of January 24, 1946, and I quote from the summary record of his remarks, "that system of stages had been intended to facilitate the studies of the Atomic Energy Commission but now the United Kingdom and the United States had given the system of stages another meaning: They extended it to the putting into effect of the system of control."

Putting together these two statements made by the Representatives of the Soviet Union during the meetings of the Subcommittee, we see that the so-called concession proposed by the Soviet Union had attached to it new conditions which were designed to commit the General Assembly to a system of control which would prevent the treaty going into effect by stages as required by the Commission. Such a proposal is not a concession. It is simply a maneuver designed to provide for the destruction of atomic weapons in one country before, and probably a long while before, there had been any determination of whether or not atomic weapons existed in another country. By demanding that prohibition be simultaneous with control, without any gradual steps or stages by which both prohibition and control would go into effect, the Soviet proposal would eliminate atomic weapons and explosives in one country many months, or perhaps years, before the system of control and inspection had been able to locate and determine the existence of atomic weapons and explosives in certain other countries. Such an arrangement would, of course, be wholly unacceptable. The majority of the Atomic Energy Commission have an entirely different view of the problem.

The majority believe that the terms of reference of the General Assembly clearly provide and make possible that the treaty should go into effect by stages. Moreover, the practical realities in putting controls into effect require time. In the words of the first report, which is part of the plan of the Commission: "The treaty or convention should embrace the entire program for putting the international system of control and inspection into effect, and should provide a schedule for the completion of the transition process over a period of time, step by step, in an orderly and agreed sequence leading to the full and effective establishment of international control of atomic energy".

These stages would, of course, include the step-by-step elimination of atomic arms coincident with the step-by-step establishment of control, leading to the final result of complete control, known elimination and enforceable prohibition. The steps or stages have not yet been laid down.

According to the Commission's third report, a useful purpose would be served by trying to determine the form and timing of stages until the Soviet Union is ready to take a sincere part in the negotiations on the basis of accepted principles. We have been through this debate over and over again in the Atomic Energy Commission in the past two and a half years. It would not be possible nor reasonable to go back and start this debate over again.

The Soviet resolution would commit the General Assembly to a course under which no majority of sincere men in the Atomic Energy Commission could develop an effective plan. It is wholly unacceptable. Another proposed solution to the problem of renewing negotiations is that proposed in the Indian resolution. That resolution provides that the Atomic Energy Commission would go back to work and complete the drafting of a treaty on the basis of the work already done. Those who drafted the Indian resolution hoped first that the Soviet Union would cooperate in the work of the Commission on this basis and include such a clause in the resolution. But in the Subcommittee Mr. Malik said on October 11: "The U.S.S.R. do not agree with the provisions which is included in the Indian resolution, that there are indications that the situation which led to the closing of the work of the Atomic Energy Commission no longer exists". This clause had therefore to be omitted. The Indian resolution now means that the work should go on without the Soviet Union, but we do not agree that this would be a solution. Indeed, we believe that in the long run it would gravely set back the hope of agreement. In the matters which now remain for discussion the political aspects are so important that it would be impractical and, we believe, harmful to discuss them except in full and open cooperation among all the major countries involved, and against the background of unanimous agreement on the majority plan as thus far developed.

Let us consider some of these matters which still remain to be agreed upon in detail in order to complete a treaty. There is the matter of sanctions. Under the plan proposed by the Soviet Union sanctions would be terribly important. The Soviet plan proposes the operation of nuclear plants by nations, with an international agency carrying out periodic inspections to see whether they are operating within the rules of technological exploitation agreed upon in the treaty, or not out by the agency. If these rules were violated, that is, if a nation made more nuclear fuel than the rules provided, the international agency would then make a recommendation to the Security Council. To set the matter right, the Security Council might have to employ sanctions. Such infractions by national plants would probably come up quite often, and sanctions would be continually and terribly important. Failure of the Security Council to act because of the veto, which is probable in certain cases, would create a most serious situation. Under the plan proposed by the United Nations Atomic Energy Commission all plants would be owned and operated by the international agency. The quota of nuclear fuels to be used for peaceful purposes would be defined in the treaty and the international agency would be required to carry out these treaty provisions. Under the Commission plan, major sanctions could only be required in the case of violations, such as seizure or refusal of inspection, which might be expected to occur only at rare intervals. In an atmosphere of cooperation in the basic elements of control, the matter of the veto could probably be worked out quite easily. Further elaboration of the veto matter by the majority without Soviet agreement and presented apart from consideration of the plan as a whole would tend to confirm present frictions.

Let us examine the matter of stages. Contrary to what seems to be the impression of the Soviet delegates, judging from their remarks before this committee, neither the first nor the second report of the Commission lays down the order of stages. The order of stages is one of the matters still to be agreed upon before a treaty can be completed. It is clearly evident that the order of the stages will be greatly affected by the conditions of world secu-

rity existing at the time the treaty is to go into effect. For instance, the time at which disposal of atomic weapons would take place would depend upon the rapidity with which effective control could go into effect. This in turn would depend upon the openness existing between nations at the time the treaty was signed. If the Communist states were still a closed system, it would take time to open them up so that control could become effective. And make no mistake about it, such opening up is fundamental to effective control. But if the Communist states had already opened their borders to the extent now prevalent in other states, it would take much less time to establish controls, and disposal of weapons could take place much sooner.

To attempt to lay down stages now when agreement on other matters is so distant would only increase the suspicions and differences which now exist.

In the matter of staffing the organization, some discussions were held in the Commission just prior to the drafting of the third report. It was quickly apparent that no agreement could be reached on staffing, until the functions of the international agency were agreed upon. The Soviet Delegates themselves stated that further discussions of staffing were useless until agreement was reached on the functions of the proposed agency. Such discussions might indeed be harmful, since they would point up the differences and make later agreement more difficult.

For these and other reasons we were compelled to disagree with the point of view advanced in the Syrian resolution that work in the Commission might usefully go on, even though the Soviet were not taking part.

The United States holds firmly to the views so cogently expressed in the third report that no further progress can be made at the level of the Atomic Energy Commission until all the members of the Commission agree to accept, as constituting the necessary basis for further work, the reports as approved by the General Assembly. The United States further believes that since such acceptance is not now forthcoming, the best, and probably the only hope of obtaining it is by consultation among the sponsoring powers. This is the solution proposed in paragraph 3 of the Canadian resolution.

It is because we so earnestly seek agreement, because we still hope for ultimate agreement, however dim the present prospects, that we strongly urge this course which would follow from the acceptance of the resolution now before us in its entirety.

In taking this position we will no doubt further increase the suspicions of the Soviet powers as to our motives. Other nations have said that the offer of the United States under certain conditions was a generous offer. But the Soviet Union have sought other motives to account for our strange action. The motive they seem unable to understand is our deep concern for the kind of world the American people desire to live in. The American people desire to live in a world where individual human beings, as well as independent nations, great and small, have the greatest possible liberty and freedom consonant with the liberty and freedom of others. They desire to live in a world where all men are equal under the law. As a means to these ends and as an end in itself, they seek a world in which there is openness among all nations, freedom to move easily across national borders, freedom of information, and a free exchange of scientific and cultural ideas among the nations.

That is the kind of world the people of the United States desire. It is towards that kind of world that United States foreign policy is oriented and towards which we are earnestly striving. We envisage such a world in the field of atomic energy. It is envisaged by the United Nations Atomic Energy Commission in the plan which is now presented to the General Assembly. In the field of atomic energy no effective control is possible except in such a world. Unless we all consider this matter on the basis of these realities, we are only laying up dangers for the future.

Over two years ago the United States made an offer to give up its atomic weapons, its great plants for making the explosives which are used in atomic weapons, and for making the nuclear fuels which may at some later date provide power for industry, and offered to give up its knowledge derived at such great expense and from such long years of study, so that there would no longer be any secrets in this field, and all its knowledge

would be open to all the world. The United States made one condition to this offer. It is a serious condition.

That condition is that there should be set up an effective, enforceable, international system of control and prohibition. This is consistent with the policy by which the Atomic Energy Commission of the United States is governed. The Atomic Energy Act of 1946 provides in Section 10 (a) "That until Congress declares by joint resolution that effective and enforceable international safeguards against the use of atomic energy for destructive purposes have been established, there shall be no exchange of information with other nations with respect to the use of atomic energy for industrial purposes". In practice the condition would mean that the world would be thrown open to a broad exchange of information, to a considerable free movement of persons, so that effective enforceable control of atomic energy would be made possible.

These conditions must be fulfilled. Therefore the second subparagraph of Section 10 (a) of the Atomic Energy Act of 1946, would go into effect "(2) That the dissemination of scientific and technical information relating to atomic energy shall be permitted and encouraged so as to provide for free interchange of ideas and criticisms which are essential to scientific progress". The United States does not intend to give up its atomic weapons except under a system of control sufficiently effective to guarantee that other nations do not have, cannot secure, these weapons. We believe that the majority of the nations of the world support our position. We believe that the majority of nations want this same kind of open world which is desired by the United States.

In the light of what I have just said, the situation in which the Atomic Energy Commission finds itself is much more difficult than mere agreement on the details of negotiations. The situation which has led to the impasse in the Atomic Energy Commission has been clearly analyzed in the third report of the Atomic Energy Commission. This analysis is based on the findings and conclusions of the Commission after over two months of negotiation. It is an analysis which honesty and forthrightness require us all to appreciate. It brings us down to the plain reality

the situation with which we are faced. This is not a temporary breakdown in negotiations which can be remedied by further discussions at the level of the Atomic Energy Commission. This situation is caused by the refusal of the Soviet Union to participate in the world community on a co-operative basis.

The Communist states have set up a closed system and over a large area of the world have drawn an Iron Curtain behind which things go on in secret, things of which the rest of the world is properly suspicious. So long as the Communist states continue this position, effective international control of atomic energy will be impossible. So long as the Communist states continue this system of secrecy, the safeguards which other nations deem indispensable cannot be made effective. So long as this situation continues, all the world will be suspicious of Soviet motives and will, of necessity, arm against unknown dangers.

The Communist states desire to live in a secret world of their own, behind which, for all we know, they may arm and prepare their people for war. We do not desire to live in such a world. That is the impasse in which the United Nations Atomic Energy Commission finds itself. This is the im-

passé which cannot be overcome by the Atomic Energy Commission. It can be overcome only by the aroused, the insistent consecution, the moral—not mechanical—majority of free men who have a right to insist that they remain free.

The basis on which the work of the Atomic Energy Commission might be resumed should be discussed, so it seems to us, not in a technical body such as the Atomic Energy Commission, but in consultation among the six sponsoring powers who first proposed to the General Assembly that this matter be undertaken by the United Nations and who should now find a means for its continuance. If they find this means, the Atomic Energy Commission would be immediately reconvened. But if the sponsoring powers should not be successful, they must report to the General Assembly, which will then decide what steps should next be taken.

We believe that this would be the best means of bringing about that for which we all so devoutly hope, the reconvening of the Atomic Energy Commission under conditions which will result in the completion of a treaty acceptable to all nations. The United States will vote for the Canadian resolution in its entirety.

S. Accepts Atomic Energy Resolution

STATEMENT BY AMBASSADOR WARREN R. AUSTIN IN COMMITTEE I¹

Mr. President, The United States will acquiesce in the amended resolution which has now been adopted by Australia. That is to say, the Canadian resolution as it shows on A/C.1/340. However, I want it clear that we adhere to the principles and policies that we have advocated throughout this debate. We are not retracing our steps or retreating from the position that we have stated here several times. We are firmly persuaded that the report of the Atomic Energy Commission, the third report, represents the fact when it says:

"In this situation the Commission concludes that a useful purpose can be served by carrying on negotiations at the Commission level".

Why is that so? Well, the Commission states why it is so, namely, and I am quoting:

"The failure to achieve agreement on the international control of atomic energy arises from a situation that is beyond the competence of this Commission".

In other words, it is the same deep-seated political division separating East from West and the Commission found, after long experience, that was a constant barrier to accomplishments of agreement, of cooperation, and collaboration upon this vital question in the Atomic Energy Commission. Therefore, it recommended a suspension—not the kind of suspension which my friend Colo-

¹ Made on Oct. 19, 1948, and released to the press on the same date.

nel Hodgson speaks of—that is, indefinitely suspended. On the contrary, it expressly recommended a limitation and it used the word “until”. That is probably why the word “when” was used in this resolution as it was originally drafted. It was the appropriate word and referred to the recommendation of the Commission. Now, this is what they recommended:

“The Atomic Energy Commission therefore recommends that until such time as the General Assembly finds that this situation no longer exists or until such time as the sponsors of the General Assembly resolution of 24 January, 1946, who are the permanent members of the Atomic Energy Commission, find, through prior consultation that there exists a basis for agreement on the international control of atomic energy, negotiations in the Atomic Energy Commission be suspended.”

Now, that is plain English and anybody that interprets that to mean an indefinite suspension is straining the English language. That is a suspension only until certain events occur and it contemplates something constructive being done. The resolution offered here and under consideration up to this point recommended what had the most promise of accomplishment in it. That is, consideration of those factors which were in the way of agreement in the place where they have to be considered, that is, on a higher level entirely.

Now, it developed here that this little undercurrent ran through this great Committee—anxiety that the project of international control was being given up—indefinitely suspended—and so many amendments reached toward something that would give hope and assurance to the world that that was not going to take place.

Now, believe me, the United States respects the opinion of its colleagues on this Committee and when it sees a movement of opinion like that around this table, it gives attention to it. And, notwithstanding the fact that we still believe firmly that the only place where we can unravel this tangle—the tangled threads—is on a higher

level, nevertheless, we are going to acquiesce in the obvious feelings of this Committee. We are going with you. Don't let anybody assert that the United States tries to coerce or force its opinion. I can give you evidence now, this minute, to the contrary. We are going to vote for this although we still adhere here to the opinion expressed in that report of the Atomic Energy Commission and supported by our endeavors here with all the strength we have.

Mr. President, I think it would be the grave error to slip back to February 1947 and merge control of atomic-energy studies with conventional armaments. This is an old fight which was finished, we thought, in the Security Council in February 1947, and yet we see it raising its head from time to time. Just why should we mix this work all up? Why should we set back what has been gained? It is a great study that has been carried forward for thirty months with a definite report of progress. Now, are we going to give it strength? Are we going to have it carried on with the moral approbation of the largest number of countries in the United Nations, or are we going to weaken it in every way that we can? For example, put in the proof of it—the words “in substance” or the words “in principle”. Weasel words to tear down the thing which we are reaching for? We cannot get anything more out of the General Assembly than its moral power. We must reach for all the moral strength that we can have to support this very intelligent accomplishment of the Atomic Energy Commission—for it is the accomplishment of the Commission, you understand. The majority rule obtained there and it is only by the strangest attitude towards democratic principles that we find a small minority persistently resisting the decision of the Atomic Energy Commission.

So, we now give our allegiance to this amendment—this amended resolution of Canada here—provided it is not mangled by amendments or by some conduct of this Committee that would rob it of the only thing that there is in it, and, that is the moral power of the General Assembly.

Review of Allied Action on Berlin Blockade

STATEMENT BY PHILIP C. JESSUP¹

Deputy U.S. Representative in the Security Council

The distinguished representative of the United Kingdom has given the Council a complete review of the facts of the complex blockade measures imposed by the Soviet Union over a period of months. These are actions which were designed to deprive the Western powers of their legal rights in Berlin and force the German capital into the Soviet economic and political system. These are acts which taken as a whole constitute duress and threat of force, such as are wholly inconsistent with the obligations imposed on members of the United Nations by the Charter.

At the very moment in which the Security Council is considering the blockade, Soviet authorities have taken additional steps to tighten it. They announced in Berlin yesterday that, effective as of yesterday, all vehicles coming from the Soviet zone to Berlin must enter through the Soviet sector. In other words, as regards vehicular traffic into the Western sectors of Berlin, a watertight blockade has now been clamped about the perimeter of the city. The manner in which these measures have been taken provides a striking illustration of the Soviet blockade methods. Suddenly, without warning, a police cordon is thrown around an area comprising two thirds of Berlin. Instead of a simple reasonable system of inspection at the point of entry, a vehicle must detour 40 or 50 miles in order to enter the city from the east. Instead of the use of an agreed-upon documentation for the entry of this vehicle, it must possess unspecified and unilaterally decreed papers. Its ultimate fate, should it persist in wishing to enter the West sectors from the Soviet sector, is seizure of the vehicle and its cargo, including food. We are informed, indeed, that yesterday patrols of police in the Soviet sector began inspecting all vehicles trying to enter the West sectors. One thing emerges

clearly from these announcements and actions: the blockade not only exists, but is being intensified. The duress of which we complained and which is a bar to negotiations is being increased even as the Security Council deliberates.

There is an aspect of the blockade measures which I particularly wish to be re-emphasized to members of the Council. As I pointed out before, under a series of international agreements the four occupying powers undertook responsibilities for the population of the sectors of Berlin committed to their charge. The blockade is a method used by the Soviet Union for the expansion of its power in utter disregard of these joint responsibilities and with callous indifference to the effect of their measures upon the population of the Western sectors. I would also remind the Council that it was not until a month after the blockade was imposed that the Soviet Union made their offer to supply food and coal to the Western sector. It was thus clear that they originally contemplated putting this pressure on the population in an attempt to break their spirit, and it was only after the success of the air lift was demonstrated that the attempt was made to counter the air lift with the offer of Soviet supplies.

This is the blockade which Vyshinsky says is entirely mythical.

His contention that there is no blockade has been amply disproved by facts. The Soviet interpretation will in any event be somewhat disputed by two and one-half million people who are the direct object of Soviet power politics, who are faced with a choice between accepting the real and potential hardships of the blockade or accepting Soviet political food and political coal and hence

¹ Made before the Security Council on Oct. 19, 1948, and released to the press on the same date.

Soviet and Communist political domination. Their choice has been clear and unmistakable from the beginning. They have chosen hardship and freedom. This is a hopeful sign for the future peace and security of Europe, for the sake of which the Four Powers undertook the occupation of Germany. Let us not forget that at Potsdam it was declared that the Allies will take in agreement together, now and in the future, the other measures necessary to assure that Germany never again will threaten her neighbors or the peace of the world. It is not the intention of the Allies to destroy or enslave the German people. It is the intention of the Allies that the German people be given the opportunity to prepare for the eventual reconstruction of their life on a democratic and peaceful basis. That was agreed at Potsdam. The Soviet Government, using the harsh instrument of the blockade, has indeed chosen a strange way in Berlin to live up to its agreement to democratize German political life. Thanks to the air bridge and the support given it by Berliners, the Soviet Government has not succeeded in its purpose.

Let us get down to the bare bones of the matter. There is Berlin, an island in the midst of the Soviet zone. By international agreement Berlin is a city under the administration of four countries—France, the Union of Soviet Socialist Republics, the United Kingdom, and the United States. It is not a Russian city. Officials and troops of four countries are in that city carrying out their duties in the several sectors assigned to them by international agreement. Questions affecting the city as a whole, under those same agreements, are supposed to be controlled by the four countries acting together in the Control Council and Kommandatura—two bodies which they set up for that purpose. In 1945 all four agreed that all four should share in bringing essential supplies of food, fuel, etc., to Berlin and in distributing those supplies in Berlin.

For about three years this island city of Berlin was administered under these agreements. Then in 1948, for one reason or another (I shall not now pause to review the evidence which shows what the reason was; the varying and inconsistent reasons advanced by the Soviet command for these restrictions have already been revealed), the Soviet

Union, one of the Four Powers, walked out of the Control Council and Kommandatura and began to close the routes to Berlin. All these routes by rail, road, and canal, cross the Soviet zone territory to reach Berlin. The Soviet Army is stationed all through that territory and therefore in the physical position to prevent traffic from crossing it. They have not *the right* to prevent this traffic because they agreed that France, and the Union of Soviet Socialist Republics, the U. K. and the U. S. should all share in administering Berlin, and Premier Stalin himself in 1945 agreed that they had a right to go in and out of Berlin to and from their own zones. But the Soviet Union has the physical power and has threatened to use it. It does not have the same physical power of control over the air and therefore the three Western Governments are using air lanes. The air lane has imposed tremendous additional burdens upon the three Western powers who have exactly the same right as the Soviet Union to be in Berlin. But if we three Western countries had been unwilling to make that effort, we would be defaulting on our recognized responsibilities for the economic and political welfare of the Berlin population. It is not unreasonable to assume that the objective of the Soviet Union is to place the Western powers in a position where they cannot carry out those responsibilities. It is absurd for the Soviet Union to argue that there is no blockade merely because we can still reach our own sectors of Berlin by air or because they belatedly offered to supply food in exchange for political control.

One does not need to be an expert on the Charter to realize that the use of physical power backed by armed force in an attempt to prevent us from going where we have a right to be and where we have international duties to perform, is a violation of the purposes and principles of the United Nations. If the Soviet Union had complaints against the three Western countries, the whole system of the Charter clearly requires them to try to settle these differences by peaceful means. Did they try to do so? They did not.

From the beginning of 1948 until their surface blockade became complete, they never suggested that we have a meeting of the Council of Foreign Ministers to discuss the broad questions of the

ture of Germany. From the time they withdrew from the Control Council in March 1948, they never suggested negotiations by any other body. Instead they used the extreme measure of the blockade.

Some people may think there was no real threat of force because they did not actually open up on trains and trucks and barges with machine guns and artillery. But let me give you a picture presented by an actual case. On June 21, 1948, a United States military train no. 20, under command of an American officer and carrying one warrant officer and an interpreter and six train guards, left Helmstedt en route to Berlin.

Despite the fact that it had complied with all existing regulations, the train was stopped at the Russian control point. There were three days of argument during which Russian demands were frequently altered. Finally the Russian commandant ordered all U. S. personnel off the railway property, which he claimed was under Soviet control, and onto guard cars. Two American guards were forced off the U. S. engine by a Russian personnel and two armed Russian guards. Other Russian guards with automatic guns were placed beside the train in various spots. Soviet guards kept the train to the border point where they waited and the train proceeded back to Helmstedt.

Now as I pointed out to the Security Council, we could have used armed force against the Soviet threat or we could have meekly submitted and surrendered our rights and duties in Berlin, subjecting nearly two and one-half million Germans to Soviet rule with all that that implies. But what we actually did and are still doing is live up to our obligations under the Charter of the United Nations and to try to settle the question by peaceful discussions while continuing to discharge our obligations in Berlin.

This leads me to the second question which has been put to us. I quote it:

"We request the representatives of the U. S. A., Great Britain, France, and the Soviet Union to explain substantially the agreement involved in the instructions given to the Military Governors of the zones in Berlin and to give the detailed reasons

that prevented the implementation of those instructions."

The Soviet Government will, however, appreciate that the three Governments are unable to negotiate in a situation which the Soviet Government has taken the initiative in creating. Free negotiations can only take place in an atmosphere relieved of pressure. This is the issue; the present restrictions upon communications between Berlin and the Western zones offend against this principle. When this issue is resolved, such difficulties as stand in the way of a resumption of conversations on lines set out should be removed.

I have already given the Council on October 6 an outline of the discussions which followed.² I shall repeat the essential points.

At the close of the meeting on August 2, Stalin seemed to meet our point of view. He proposed that lifting restrictions on transport and commerce should be carried out simultaneously with the introduction in Berlin of the German mark of the Soviet zone and the withdrawal from Berlin of the Western mark "B".

The three Western Governments assumed that Stalin's proposal was based on the establishment of Four Power control over currency in Berlin and therefore could be accepted. Accordingly, in the next meeting with Molotov on August 6 the three Western Representatives suggested that a communiqué should be agreed upon by the Four Governments which would announce the lifting of the blockade, the introduction into Berlin of the German mark of the Soviet zone as the sole currency of the city, under adequate Four Power control, and an agreement to hold a Four Power meeting to consider outstanding questions with respect to Berlin and Germany. This document will be found in our White Paper.³ You will note that it was a simple proposal and, in addition to the points I have just mentioned, spelled out Four Power safeguards with respect to currency which we considered essential.

The Soviets did not accept immediately the draft communiqué. Instead, protracted discus-

² BULLETIN of Oct. 17, 1948, p. 884.

³ Department of State publication 3298.

sions were held between the Four Powers over a three-week period until the directive was agreed to on August 30. I think it unnecessary to give here a detailed chronological account of those discussions. That account is given in the White Papers which have been published by the United States Government and by the British Government. If you will compare the proposals made by the Three Powers on August 6 with the agreed directive, differences between them will be clear.

When agreement was reached on August 30 as to the terms of the directive, the U.S. Government believed that no more than administrative acts by technical experts in Berlin were required to carry out the directive. There had been an exhaustive discussion on all issues of principle in the directive. So far as we knew full accord had been reached. The only thing that remained was to put into effect the principles agreed upon which we assumed could be done by the four Military Governors.

The directive met the points made by the Soviet Government in Moscow and at the same time was consistent with the maintenance of our rights in Berlin.

Stalin gave specific assurances on the question of Four Power control over currency in the August 23 meeting with Representatives of the three Western Governments.

As reported by Smith:

"Stalin stated that the German bank of emission controlled the flow of currency throughout the whole Soviet zone, and it was impossible to exclude Berlin from the Soviet zone. However, if the question were asked whether it did so without being controlled itself, the answer was 'no'. Such control would be provided by the Financial Commission and by the four Commanders in Berlin, who would work out arrangements connected with the exchange of currency and with the control provision of currency, and would supervise what the bank was doing."

No unresolved issues of substance appeared to be involved on August 30 when the directive was sent to the four Military Governors in Berlin.

But what was our experience in Berlin?

In answering this question, one needs remember what the situation was when the discussions be-

gan. The beginning was on July 6 when the three Governments sent the first notes to the Soviet Government. By that time, the Soviet interruption of highway, railroad, and canal traffic was complete and the three Western powers had been forced to rely on the air lift to carry out their acknowledged duties in Berlin. This was the situation created a threat to the peace which still exists, and which will continue to exist until the restrictions of surface travel are removed. For over three months we have been trying to remove this threat to the peace by peaceful means. When direct discussions failed, we turned to the Security Council which by the Charter has been given the primary responsibility for the maintenance of international peace and security.

We turned to the Security Council on September 29 for exactly the same reason that we entered into the discussions with the Soviet Government in July, namely, to remove the threat to the peace. We did not come to the Security Council in July because article 33 of the Charter required us "first of all" to exhaust the possibility of direct discussion. But the threat to the peace existed in July and it exists now in October.

In July we wondered whether there were some detail, some misunderstanding, which caused the Soviet Government, however improperly and illegally, to use force instead of conference. If that were the case, the difficulty could be removed. However, as all signs seemed to indicate, the Soviet Union was using the threat of force to get us out of Berlin, that was a different matter. So we put the question to Stalin on August 2 in Moscow. Mr. Smith, of the U. S., spoke for the three Governments. I want to quote his words which you will find printed in full in the U. S. White Paper:

"The United States, the United Kingdom and France do not wish the situation to deteriorate further and assume that the Soviet Government shares this desire. The Three Governments have in mind restrictive measures which have been placed by Soviet authorities on communication between the Western zones of Germany and Western sectors of Berlin. It was the feeling of our Governments that if these measures arose from technical difficulties, such difficulties can be easily remedied. The Three Governments renew the

of assistance to this end. If in any way related to the currency problem, such measures are obviously uncalled for, since this problem could have been, and can now be, adjusted by representatives of the four powers in Berlin. If, on the other hand, these measures are designed to bring about negotiations among the four occupying powers they are equally unnecessary, since the Governments of the United Kingdom, the United States and France have never at any time declined to meet representatives of the Soviet Union to discuss questions relating to Germany. However, if the purpose of these measures is to attempt to compel the three Governments to abandon their rights as occupying powers in Berlin, the Soviet Government will understand from what has been stated previously that such an attempt could not be expected to succeed."

Smith went on to say:

"In spite of recent occurrences, the three powers are unwilling to believe that this last reason is the real one. Rather they assume that the Soviet Government shares their view that it is in the interest of all four occupying powers, of the German people and of the world in general to prevent any further deterioration of the position and to find a way by mutual agreement to bring to an end the extremely dangerous situation that has developed in Berlin."

The record shows that the Soviet Military Governor departed from the directive on three fundamental matters of principle. First, he asserted that the use of the air corridors to Berlin from the west would be limited to supplying the needs of the occupation forces; but the directive called for the lifting of restrictions, not the imposition of new ones. Second, he maintained that the trade between Berlin with the Western occupation zones and third countries should be controlled exclusively by the Soviet Military Command, but the directive provided that a "satisfactory basis" of trade should be worked out rather than unilateral control. Third, the Soviet Commander insisted that the Four Power Financial Commission would not have the necessary authority with respect to the activities in Berlin of the German bank of emission

despite the explicit understanding to the contrary reached with Stalin August 23 on this point.

The three Western Governments decided to take these issues back to Moscow to determine whether the Soviet Government itself was also going to disregard the agreements which had been reached.

However, in going back to Moscow, we did believe that it was essential to obtain an unequivocal affirmation by the Soviet Government of the principles of the August 30 directive. We were not prepared to embark on another round of long discussion which would simply reproduce what had gone before and which would open for further discussion principles previously settled. We wanted unequivocal answers to the three questions. We then wanted performance on those answers in Berlin. What happened when we went back to Moscow?

The three Western Governments requested in their *aide-mémoire* of September 14 that the Soviet Government affirm the understanding reached in Moscow concerning those three issues and instruct the Soviet Military Governor to carry out these undertakings. A reply was received by the three Western Representatives in Moscow on September 18. In that reply the Soviet Government upheld the position of the Soviet Military Governor to the effect that the use of the air corridors in the future be limited to supplying the requirements of the occupation forces in Berlin contrary to the Control Council decision of November 30, 1945. While admitting that the trade of Berlin should be under Four Power control, the Soviet Government maintained that actual issuance of export-import licenses should be controlled by the Soviet military administration. This would have vitiated Four Power control over trade. The reply seemed to go back to acceptance of the principle that the Financial Commission would have authority only over certain activities in Berlin of the German bank of emission.

It is evident that we did not obtain the simple affirmation we sought of the agreed principles of the August 30 directive. Nor did we obtain any assurance that the Soviet Government would instruct the Soviet Military Governor to follow the directive. In short, we obtained an unsatisfactory reply. In view of all that had happened before,

we came to the considered opinion that the Soviet Government was attempting to secure political objectives to which it was not entitled and which it could not achieve by peaceful means. We discovered that the talks we were holding were serving as an excuse to prolong the blockade rather than as a means of removing it.

Therefore, on September 22, the three Western Governments sent identic notes to the Soviet Government in which they restated their positions on the three principal issues and in which they also asked the Soviet Government to lift the blockade and specify the date on which it would be done.⁴

The Soviet reply to this note was received on September 25.⁵ It still did not explicitly clarify all of the points which we had taken back to Moscow. It did not state that the Soviet Government agreed that commercial freight and passengers could move to Berlin by air. It did, perhaps, imply that the air corridors might be used for this purpose. However, it stated that there must be control by the Soviet High Command over the transport of commercial cargoes and passengers. The Soviet reply thus raised a new question. We could not agree that the Soviet Command should exercise such control. We had stated repeatedly in Berlin that inspection for protection of currency would be necessary but that it must be exercised on the basis of agreed quadripartite regulations.

I want to point out that in the circumstances existing in Berlin, protection of the currency of the Soviet zone is wholly unrelated to the volume of freight or the number of passengers moving by land, water, or air between the Western zones and Berlin. Protection for currency of the Soviet zone, as a practical matter, can be had through adequate exchange and currency controls as between the two areas, not through control of traffic. The Governments of France, the U.K., and the U.S. have always been prepared to agree to reasonable safeguards for the protection of the Soviet zone German mark. They have always been and still are prepared to agree to reasonable regula-

tions over traffic. Limitation of and control over the volume of traffic that moves between the Western zones and Berlin should not be confused with the wholly separate and unrelated question of currency and exchange control. The Soviets have used this as one of their excuses for establishing the blockade and as reason for claiming the right to impose restrictions on the use of air corridors for transportation of freight and passengers. This is a subterfuge on the part of the Soviets to place air traffic and Berlin under control of the Soviet Command.

Because further talks had become manifestly futile, we informed the Soviet Government that we were referring the matter to the Security Council in our identic notes of September 26-27. We sent our notification to the Secretary-General of the United Nations on September 29.⁶

As you are aware, the Soviet Government sent a note to the three Western Governments on October 3, even after we had referred the case to the United Nations. That note is a further illustration of the tactics which have been pursued by the Soviet Government throughout these talks. It suggests for example that the matter of air-traffic control to prevent illegal currency and smuggling operations should be capable of mutually satisfactory negotiation but it carefully refrains from making a definite commitment. It is another example of the evasions, and apparent unwillingness to affirm understandings already reached.

Now we are asked why was it that the whole matter was not settled on the basis of the directive of August 30. Stated in another way, the question is, "Why did the threat to peace continue after September 7 when conversations of the four Military Governors were concluded, or after the 14th of September when the three Western Governments wrote the Soviet Government explaining in what respects Sokolovsky had refused to live up to the understanding reached in Moscow?"

A simple and direct answer to the question is that the threat to peace did not end then because it was the Soviet blockade measures which cause the threat to peace and the Soviet Government refused to lift the blockade. The Soviet Government created the threat to peace and the Soviet Government can remove it.

⁴ BULLETIN of Oct. 3, 1948, p. 423.

⁵ *Ibid.*

⁶ U.N. doc. S/1020, Sept. 29, 1948. See also BULLETIN of Oct. 10, 1948, p. 455.

To sum up, the three Western powers were prepared to discuss practical arrangements to deal with the currency problem in Berlin or other problems as long as there was the slightest reason to believe that the restrictions imposed by the Soviet Government were in any way related to such problems. But when it became apparent as the conversations progressed and particularly after the Soviet repudiation of the agreed interpretation of the August 30th directive, that the real Soviet intention was to force the abandonment of our rights in Berlin, which Stalin had been informed was totally unacceptable to the Western powers, it was obvious that the discussions were doomed to failure. In our view these discussions prove conclusively and we so stated in our notes of

September 26-27 that the Soviet Government was and is attempting by illegal and coercive measures in disregard of its obligations to secure political objectives to which it is not entitled and which it could not achieve by peaceful means. We could not continue to discuss even on the currency question under a clearly established attempt to attain such objectives by coercion and duress.

In demanding the immediate lifting of the blockade which constitutes a threat to peace, we in no way seek to be released from our commitment to carry out the directive of August 30. We are asking the Security Council to remove the threat to the peace, not to avoid a discussion with the Soviet Government, but to make it possible to engage in discussions free from duress.

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¹ Printed materials may be secured in the United States from the International Documents Service, Columbia University Press, 2960 Broadway, New York City. Other materials (mimeographed or processed documents) may be consulted at certain designated libraries in the United States.

United Nations Day

STATEMENTS BY SECRETARY MARSHALL¹

With the other members of the United States Delegation, I am attending in Paris the third regular session of the General Assembly of the United Nations. For five weeks this has been a period of extraordinary activity, as we have been dealing daily with matters of utmost world concern. Make no mistake about it, what is being done here has a profound meaning for every American.

It is fortunate, I think, that United Nations Day is being observed while the General Assembly is in session. The critical nature of issues we are debating should cause the people of the world to think both seriously and realistically about what the United Nations really is and what people may rightfully expect it to accomplish in their behalf—that is, in behalf of world peace.

The most vivid impression I have received in the past few weeks is the new appreciation of the indispensable part the organization of the United Nations has come to play in the affairs of the world community. I wish I could convey to all of you at home the stirring sense of reality and vitality we feel from participating in these meetings. Certainly no one here doubts that they are part of an organization engaged in the most important business in the world today—that is, an intense effort to save this and succeeding generations from the scourge of war.

But we realize that the United Nations cannot hope to succeed unless it boldly comes to grips with the realities of the world situation. It cannot exist merely as a symbol above and apart from human struggle. If the organization is to justify the hopes of mankind, it must gather strength to surmount the difficulties, the crises of the world, and bring about peaceful solutions for them.

The most important fact of international life today which every country must take into account is the fact that the United Nations is a living, dynamic institution. This does not mean that we

can find solutions for all our complicated international problems easily and automatically referring them to the United Nations, nor does it mean that we should lose our perspective—or feel that doomsday is just around the corner if the United Nations does not provide quick and satisfactory solutions. Some of these problems have already defied the ingenuity of Member Nations that make up the United Nations, and because the United Nations is inseparably a part of the real imperfect world in which it exists it is subject to the same disabilities and frustrations that beset the negotiations of its individual members. It would make a fundamental error if we disregard these realities and considered the United Nations as some short cut to Utopia. There is neither short cut nor a Utopia. We live in a human world with all man's frailties and failings, which I have come to think are more pronounced in nations than in individuals.

The United Nations Charter recites special limitations which were passed on by the fifty nations that created the organization. The United Nations is in no sense a supergovernment. It does not have complete authority over sovereign nations which compose its membership. They do voluntarily agree to cooperate within the provisions of the limited authority conferred upon them by the Charter, but the achievements of the United Nations are limited to the willingness of various nations to cooperate. The difficulties, successes, and failures of the United Nations directly reflect existing relationships among nations.

The attention of our people has been focused on political disputes debated in the Security Council and the excessive use of the veto in that organization. This has led to an impatient desire to for hasty revision or even complete overhauling of the whole United Nations machinery. Many of these proposals are unrealistic in that they confuse cause with effect. They propose cures for symptoms instead of for disease. The truth is that the means for cooperation provided by the United Nations are not, I repeat, are not inadequate—it is a lack of genuine desire for cooperation on the part of certain nations that brings about the present feeling of futility and frustration.

¹ The first statement was made over the CBS network on the occasion of the observance of United Nations Day, Oct. 24, 1948, and released to the press on the same date. The second statement was made to American students on the occasion of United Nations Week over the NBC network on Oct. 22, 1948, and released to the press on the same date.

This obstructive attitude or procedure is the most serious limitation of all, it is the greatest light on the effectiveness of the United Nations. It has been imposed contrary to the wishes of the majority of the Member nations, and contrary to understandings reached in San Francisco. Yet the United Nations unquestionably represents the maximum degree of international cooperation that is possible at this time.

The way to increase the cooperative spirit is not by deliberately destroying the inadequate unity that now exists, but rather by careful and patient cultivation of greater unity through the processes of the United Nations.

Always keep in mind that the United Nations today provides the forum in which world opinion can be brought to bear on the most critical world disputes. In time the cumulative effect of moral judgments of the large majority of mankind expressed through the organization will inevitably exert a powerful influence upon even the most recalcitrant government.

I am addressing you from Paris, where the United States is taking an active part in the deliberations of the United Nations. This meeting dealing with serious problems in world affairs, some of which will affect your personal lives for years to come.

I wish it were possible for me to meet you personally, in your gatherings at schools throughout your country, to impress on you the great importance of the organization of the United Nations and the duty you owe to yourself and your country to help strengthen the United Nations and make of it a tremendous influence for peace in the world.

The people of our country have just passed through a terrible war in defense of our right to live in freedom and to govern ourselves as we see fit. Great sacrifices were made, hundreds of thousands of lives of our young men given to keep for us and for future Americans the kind of liberty

The United States will associate itself with as much of the world as will sincerely devote its efforts to the realization of the aims proclaimed in the Charter of the United Nations. Our government is resolved to seek peace and understanding in accordance with the Charter both inside and outside the United Nations. We will not allow misuse of United Nations procedures or obstruction of our efforts, singly or in concert with other nations, to dismay or defeat us.

I urge all Americans to observe United Nations Day in a practical manner by increasing their knowledge and understanding of the organization, particularly the Charter. The United Nations was born out of world disaster and has had to be nurtured during continuing crises. Given a reasonable opportunity the United Nations will grow and develop through other crises to its maturity. That is the way of civilization. There is no better road—no shorter—in fact, there is no other road—to lasting peace.

and ways of life that have been so wonderfully developed in America.

Now we are engaged in a great effort to save succeeding generations from the scourge and horrors of war and to bring progress and prosperity to the world. Our efforts are centered on the United Nations, the world's best hope for peace.

We only began this great enterprise three years ago. We must look to you to carry it forward to strength and power. You are young. You have a fresh viewpoint and vigor. Make the United Nations your own organization by learning all you can about it, what it is, what its purposes are, how it operates. Read the Charter and re-read it, until you understand it as thoroughly as you do our own Constitution. Identify yourself with the United Nations and work unceasingly to make it the means by which you and the young people of other lands can live together in peace and happiness in the years ahead.

ADDRESS BY GEORGE V. ALLEN²

Assistant Secretary for Public Affairs

I am glad to talk with you tonight about the United Nations because many people who read the daily headlines, reporting disputes in the General Assembly in Paris, are inclined to overlook the really significant developments now taking place. Many people are skeptical that any progress can be made, under present world conditions, towards the creation of an effective world organization,

but progress *is* being made toward that end every day.

Today, in Paris, the spokesmen of the world are debating ways and means by which nations can work creatively toward building an effective

² Address broadcast over WRC in Washington on Oct. 22, 1948, and released to the press on the same date.

peace. A large majority of the hundreds of delegates present are showing more and more clearly, when the chips are down, that they appreciate the necessity for preserving the dignity and worth of the individual, and are aware that an effective world organization can only be built on democratic principles.

In each debate in Paris, this issue is becoming more clear cut. We are getting down to rock bottom. The question of the control of Berlin is incidental to the basic question whether anti-democratic methods of force and coercion shall be permitted to continue as a means of conducting international relations. As the various individual cases are discussed, this basic issue underlying them all emerges more clearly.

The fact that more and more people of the world are steadily realizing the fundamental question involved is more important to me than the political disagreements which are hitting the headlines. The quarrel is not between the United States and Russia; it is between democracy and totalitarianism, between aggression and nonaggression, between moral and immoral international conduct.

But the political debates in Paris by no means tell the whole United Nations story. The Security Council, as "trouble shooter" for the United Nations, receives most of the headlines, but the less spectacular day-to-day advancements made by the United Nations and by its specialized agencies in social and economic fields are perhaps equally important.

A vast new machinery of international cooperation has come into being since 1945. A study of the United Nations organization chart will reveal commissions, councils, and special agencies

which offer Member Nations a meeting ground to attack almost every type of common problem such as the control of contagious diseases, educational reconstruction, and many others of equal importance. Some people think there are too many such agencies and bureaus, but each is important and their constant if quiet endeavors and achievements add up to a significant total. In some of these agencies, delegates of widely divergent political views work in close technical cooperation and harmony.

This, very briefly to be sure, rounds out the story I wish to share with you tonight. Let me repeat I find strength in the fact that the aims and principles embodied in the Charter of the United Nations are identical with those of the American people, and that they express accurately the hope of all other democratic peoples. The basic fault is not in the Charter, but in the fact that some of its Members continue to employ undemocratic methods of force and coercion to achieve their international goals. But the longer the issues are debated, the more clear it becomes to all the world including increasing numbers of people behind the Iron Curtain, that the basic issue involved is morality in international conduct against immorality, national independence against subservience to an alien rule, and human liberty against the subjection of this individual to the dictates of a ruling clique.

Progress is being made, and with a steadfast conviction in the superiority of democratic principles over any other system of conduct yet devised, we shall succeed in building a world order which will stand in the noonday sun, strong and firm on its solid support—the people of the United Nations.

WHY WE SUPPORT THE UNITED NATIONS

By Ambassador Warren R. Austin¹

Today marks the first official, world-wide observance of United Nations Day, designated by unanimous recommendation of the General Assembly in 1947. On this day people are gathered in all parts of the world to discuss problems before the United Nations and to express their determination, in the words of the Charter, "to save succeeding generations from the scourge of war".

It is fitting that this world-wide testimony to humanity's greatest hope for peace, the United Nations Charter, should occur on the day dedicated to the one Father of all mankind; it is fitting that this observance should fall on the day of prayer, and that mankind's prayers for peace and justice are rising in unison around the earth.

I feel greatly honored to have a part in Britain's observance of this universal holiday in Central Hall, Westminster, in which the organization began its life. It was the people of this island whose valor and determination in the darkest hours made possible the victory from which emerged the United Nations. Faced, as we now are, with the uncertainty that the development of the United Nations will require from all of us much of the same spirit, I feel especially privileged to observe this day with people who, in our time, have so distinctly identified their country with qualities of faith and courage.

The people of my country cherish the partnership with you that helped create the United Nations. We are united in our desire to see that partnership grow in collective effort to strengthen the United Nations.

Today, in the United States, our national election campaign is suspended so that people may join in rallies in every state to manifest support for the United Nations. It provides us with another opportunity to demonstrate that our participation in the United Nations is based on the national will, and not on the platform of any one political party. Both major parties have published pledges to support the United Nations.

The Democratic platform states: "We support the United Nations fully and we pledge wholehearted aid toward its growth and development."

The Republican platform provides: "We believe in collective security against aggression and in behalf of justice and freedom. We shall support the United Nations—the world's best hope in this direction, striving to strengthen it and promote its effective evolution and use."

The United States Delegation in Paris is a bipartisan delegation and the policies of that delegation have not become the subject of partisan debate in the election campaign now nearing its end. Our people are able to observe at close range the growth of the organization from its beginnings in the Dumbarton Oaks conversations through the writing of the Charter, on our Pacific Coast, to the establishment of its home on our Atlantic Coast. Our students, editors, political leaders, and public visit sessions of the General Assembly, Security Council, Trusteeship Council, Economic and Social Council, and other agencies of the United Nations. They return to their communities with firsthand reports of how representatives of 58 nations are progressing with their work. This all makes the United Nations very real to our people.

One reason we are glad that the General Assembly is being held in Paris this year is that it is giving the people of Europe a better opportunity to visit its sessions, and to feel their intimate relation to it. There is an inherent basis for the American support of the United Nations. During most of our history, we have been receiving the sons and daughters of all nations, and especially from Europe. We have become a United Nations country, exemplifying that men of every nationality, religion, color, and race can live together in peace, and cooperate for the welfare of all. I would not imply that we have achieved our ideal. Our efforts to insure the fulfillment of the guarantees of equal rights must be pursued endlessly, and with enlightened vigilance. Our own difficulties make us keenly sensitive to the tremendous task faced by nations in building the envisioned world community, and they give us the patience necessary to reach that goal. Many of these people who came to the United States were bitter over the wars and quarrels of Europe. They had turned their backs on the old world and dreamed of building a new world in splendid isolation.

Through hard experience the American people came to realize that in an interdependent world no nation can escape the consequences of war, and every nation depends to some extent on world order for its own social and economic well-being. Once having reached this conviction, the overwhelming majority of the American people demanded full

¹ Address made at Central Hall, Westminster, London, Oct. 24, 1948, and released to the press on the same date.

United States participation in the United Nations, and they have supported every measure for collective security and international economic cooperation.

I realize what the experience of Europeans has been. They had high hopes of outlawing war and building collective security through the League. They gave support to that first effort to build a world organization. They were disappointed and disillusioned when the Senate of the United States held aloof from the League. Their hopes were dashed as the League failed to stand by the covenant when Mussolini attacked Ethiopia, when Japan moved into Manchuria, when the Nazis seized the Rhineland, then Austria and Czechoslovakia.

To my mind the great difference between the 1930's and the present is that then the majority of the League members were falling apart to become, one by one, victims of aggression; while today the majority of the members of the United Nations are closing ranks to create a united front against aggression. That difference is so important as to justify a real hope for the efforts in which we are now engaged to avoid war.

Our difficulties are so obvious and complex as to provoke skepticism in some, but they challenge the great interest and effort of an increasing majority.

Just two days ago, we were greatly strengthened by the achievements of one day:

The Security Council elected five judges to the International Court of Justice, the General Assembly did likewise, revealing a high degree of accord between East and West.

The Political and Security Committee, after thorough debate, agreed upon the Mexican resolution with unanimity of the 58 members. (The conference broke into animated applause at this heart-warming accomplishment.) The resolution recalled faith in the principles of the Atlantic Charter; the pledge of the members in the United Nations and proclaimed that only with continuing and growing cooperation and understanding among the three countries which made the Yalta Declaration, and among all the peace-loving nations, could the higher aspirations of humanity be realized.

One of the contributions to wider cooperation was made by the Soviet Union in the Subcommittee. It initiated paragraph 4 of the Mexican draft recommending that the powers signatory to the agreement of December 1945, and the powers which subsequently acceded thereto, "associate with them in the performance of such a noble task (the settlement of the war and the conclusion of all the peace settlements) the states which subscribed and adhered to the Washington Declaration of January 1, 1942."

The Security Council, considering the Berlin question, by unanimous consent, tabled a resolution which was proposed by the six neutral members. We prayerfully look forward to the consideration of that resolution next week.

As I left Paris for this meeting, I received official notification, as President of the Security Council, that its resolution for an immediate and effective cease-fire in the Negeb, has been obeyed by both Jews and Arabs.

We do not serve our cause by overestimating short-run gains, nor by underestimating the long-range difficulties. But, as we advance toward collective security, step by step we grow more efficient with each succeeding accomplishment.

We created and set in motion the most ambitious organization for peace ever conceived. We built up an efficient Secretariat, introduced novel methods of breaking down barriers of language, developed fact-finding facilities, and arsenals of information for combating such ancient causes as was disease, hunger, and ignorance. We created commissions and specialized agencies to deal with the whole range of vital problems through international consultation; the problems of control of atomic and other weapons of mass destruction; of reduction and regulation of armaments; of human rights; of finance and trade; of health and narcotics; of food and agriculture; of economics and employment; of education, science, and culture; of labor standards; of displaced and stateless persons.

The fact that we have a vast international organization, this year holding more than 5,000 meetings in various places throughout the world enables us to see in bold relief the differences and tensions between nations as they appear.

I should like to discuss with you frankly the tensions, to suggest action to relieve them, and to hasten the realization of collective security as envisaged in the United Nations Charter.

A great part of the tension in the United Nations grows out of the fact that economic and social instability in the wake of the war has favored the growth of Communist parties in many countries. Communist leaders in these countries try to exploit chaotic conditions to seize power. In those countries where Communists have been able to call upon the Red Army either for direct help or as an imminent threat, they have succeeded. It is significant that they have succeeded nowhere else. But, as country after country has fallen under Soviet domination, and as Communist parties in other countries have demonstrated their role as Moscow-directed fifth columns, the black cloud of fear has spread over all of Western Europe and has darkened the horizon of the United Nations.

These fears and their causes were laid before the General Assembly with directness and candor in

two brilliant speeches: one by Mr. Spaak, Prime Minister of Belgium; the other by Mr. Bevin, your Foreign Minister.

Our failure to support the balance of power existing at the time the Charter was signed has been a contributing factor. The rapid demobilization of our armies enabled the Kremlin to extend its domination, to encourage paralysis rather than productivity, to spread fear where there should have been hope.

We expected, when the Charter was signed at San Francisco, that force would cease to be the dominant factor in relations between nations. This hope sprang from the heart of a nation which then possessed the greatest concentration of military power the world has ever seen. We hoped and believed that in seeking solutions for postwar problems, our war-born unity would be maintained. And so, our country, like yours, demobilized with reckless velocity. It has been a bitter and, in many respects, costly lesson.

I believe there will be peace, because this time we are making perfectly clear, in advance, that we are not willing to submit to extortion as the price of peace. I believe there will be peace, because of the firm and determined unity which exists between our two countries and with France; and because this unity is receiving support from an overwhelming majority in the United Nations.

I perceive a new hope arising in the General Assembly now meeting in Paris. It grows from the increasing readiness of the many to unite against the threats and crude tactics of the few

The Member states, and particularly the states of Western Europe, are speaking plainly and persuasively. The kind of tension which results from knowing the truth and being fearful of the results of expressing it, has been broken in Paris.

I am persuaded that once the unity of the many has been demonstrated persuasively to the few, they will seek constructive solution through collaboration. The Second World War might have been prevented if the aggressors had been convinced at the outset of the eventual unity of the many defenders. Real unity of the majority and expression of it in the United Nations, in the presence of the minority, offers our best hope of eventual peaceful settlement.

The United States does not seek to promote uniformity in the United Nations. We do not seek to promote any particular political or economic system in individual Member states. But we do seek to make it possible for free nations to plan a peaceful future, in association with others if they wish, but without fear or coercion. We do seek the creation of conditions in which nations are able to safeguard their freedom against aggression. We do seek the creation of conditions in which the re-

sources, skills, and tools of the twentieth century may freely be employed for the greater benefit of mankind.

Each nation has the right to choose the method by which it shall work toward the common objective. No nation has the right to insist that its method is the only method. No nation has the right to undermine the common objective of a peaceful world providing better life and larger freedoms for all.

The spirit of hope which I perceive in the General Assembly is based also on the fact that Western Europe in which we meet is now headed toward economic reconstruction and self-reliance. The European Recovery Program is just beginning to be felt, but signs are unmistakable that the common effort is succeeding.

You know of the success that is flowing from your own efforts here in Britain. It is important to realize that collective effort is producing collective results in steel production. A good yardstick of this is provided by Sweden and the Bizonal area of Germany which have exceeded, as you have, the quotas set for the first six months of this year. They have surpassed their goals by 18 percent; Belgium has done the same by 4 percent; Italy by 2 percent; Austria by 34 percent. The Economic Committee for Europe estimated that steel production for all of Europe this year will exceed 1947 by 11 million tons, and will exceed the production quota by 4 million tons.

You have cut your trade deficit by over half for the first six months of this year. Greece reports great progress in rebuilding its transportation system. Petroleum refining is on the increase in France. Harvests are promising, and the increased amount of farm machinery is helping to insure the full realization of crop possibilities.

This is your handiwork. This is the product of your skills, your management, your patience and hard work. We in the United States have assisted financially and technically in great measure, and the labor of our workers and our farmers has come to your support. Nevertheless, it is primarily your accomplishment. We cannot today predict the full results, but of this we can be sure: rising internal strength for the European Members of the United Nations not only strengthens collective security, but reduces chaos and misery exploited for totalitarian aggrandizement.

We have great cause to be encouraged, but we have little cause to be satisfied. The unity that has brought us thus far must be strengthened and extended. I hope the economic and political cooperation now under way in Western Europe can be regarded as only the beginning of a movement toward European solidarity.

Plans for collective self-defense contained in the Brussels pact should be carried forward. The

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principle of progressively developing regional and other collective efforts for self-defense, as defined in the so-called Vandenberg resolution, approved by our Senate with only three dissenting votes, should be implemented.

The efforts to strengthen the United Nations must be continued on many fronts, among them the inter-American front. It means, also, unrelaxed effort to restrict the application of the veto, to provide contingents of armed forces available on call of the Security Council, to obtain agreement on an effective, enforceable system for the international control of atomic energy. And it means unrelenting support of economic and social projects sponsored by the United Nations through specialized agencies.

We can do no less if we are to fulfill the solemn

pledges made in signing the Charter at San Francisco. Nothing has occurred in the intervening years to change the principles we there espoused. Nothing can ever occur to change the eternal principles animating the Charter. The principle of the Fatherhood of the Most High and the brotherhood of man, regardless of race, creed, or religion, is eternal. The changes which will occur will be the result of mankind's spiritual progress in its struggles toward that goal—for perfection alone is invulnerable.

May the prayers of this day, rising from the hearts of all mankind, be felt in the United Nations. May we receive from this day's rededication to the Charter new courage and inspiration for the long task of building a just, abundant, and peaceful world.

The United States in the United Nations

Palestine

[October 23-29]

The Security Council on October 26 opened debate on Egypt's charges that Israel was "constantly and increasingly 'violating the recent Egyptian cease-fire order, but adjourned until October 28 without taking action.

The Palestine situation was taken up at an emergency session called to weigh Egypt's allegations. Lebanon and Syria also demanded that the Council order Israel to give up territory gained in the desert fighting since the most recent outbreak on October 14. Egypt agreed to withdraw its troops to positions occupied on October 14, and the embattled contestants were asked to do so. Ralph Bunche, acting U.N. mediator for Palestine.

Great Britain and China proposed on October 28 that the Security Council consider sanctions against Israel or Egypt, or both, if they fail to withdraw their military forces in Palestine's Negev area to positions occupied before the recent outbreak of fighting.

The Security Council agreed without objection to postpone until October 29 a vote on the proposal, which calls for appointment of a seven-nation committee to study application of sanctions as permitted under article 41 of the Charter.

In submitting the sanction proposal, Dr. Tingfu Siang (China) and Sir Alexander Cadogan (U.K.) stressed the fundamental principle of the Palestine truce that no military advantage should accrue to either side. They said the aim was to stabilize the Palestine situation until a final solution could be found.

Ralph Bunche told the Security Council that each side of the Palestine controversy was guilty of what he termed an effort to "win the war under the enforced truce". The acting mediator reported that as a result of the recent outbreak of fighting the dispositions of the opposing troops were such that an early reopening of hostilities was likely unless truce lines were reestablished quickly.

Dr. Bunche maintained that what is desperately needed now is a means of transition from what he described as a tenuous truce to permanent peace. The parties themselves do not seem to be able to accomplish this, he asserted. He added:

"The truce in Palestine has now endured almost five months. During this period, the war has been held in abeyance by the firm intervention of the United Nations. But it cannot be reasonably expected that this phase can endure indefinitely".

He expressed belief that "the critical stage has now been reached where bolder, broader action is

required. Such action should take the form of a clear and forceful declaration by the Security Council that the parties be required to negotiate, either directly or through truce supervision, organized settlement of all outstanding problems of the truce in all sectors of Palestine with a view to achieving a permanent condition of peace in place of the existing truce.

"Such negotiation would necessarily aim at formal peace or, at the minimum, an armistice would involve either complete withdrawal and demobilization of armed forces, or their wide separation by the creation of broad demilitarized zones under U.N. supervision."

On October 29 a five-nation subcommittee of the Security Council in Paris was set up to consider several amendments to the joint British-Chinese proposal calling for a study of the possibility of imposing sanctions in the Palestine situation.

The subgroup, consisting of the United Kingdom, China, France, Belgium, and the Ukraine, is not expected to be able to consider all the amendments and prepare a revised resolution before November 2. After creation of the subcommittee, the council rejected a Syrian effort to force further discussion on October 30 and adjourned indefinitely. It will be recalled on the Palestine issue when the subcommittee notifies the Council president that the revised draft is ready. Canada suggested establishment of the subcommittee.

The Berlin Crisis

The Foreign Ministers of the United States, Great Britain, and France on October 27 reaffirmed their countries' willingness to carry out the proposals embodied in the resolution by which the Security Council sought to settle the Berlin crisis but which the Soviet Union vetoed.

After conferring for an hour, the Western powers' Foreign Ministers issued the following statement:

"The three Foreign Ministers of the United States, the United Kingdom, and France considered the situation produced by the Soviet veto of the Security Council resolution regarding the Berlin question.

"As is known, the three Governments accepted that resolution and declared their readiness to carry it out loyally, and they stand by their expressed willingness to be guided by the principles embodied therein.

"The question is still on the agenda of the Security Council. The three Governments are ready to continue to fulfil their obligations and to discharge their responsibilities as members of that

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body, which is still in a position to consider any development in the situation."

The six neutral nations of the Security Council, which had been trying for weeks to find an answer to the perplexing Berlin question, submitted on October 25 a four-point resolution aimed at amicable settlement of the controversy between the Western powers and the U.S.S.R.¹

Nine of the Security Council's 11 members, including the Western powers, voted in favor of the proposal; the Soviet Union and the Ukraine opposed the resolution.

The vetoed resolution called on the Four Powers to avoid acts which might aggravate the Berlin situation; lift immediately all restrictions on commerce, transportation, and communications between Berlin and the four zones of occupation; call an immediate meeting of the four Military Governors in Berlin to arrange for unification of the city's currency by November 20; and convene the Council of Foreign Ministers to consider the entire German question within 10 days of fulfillment of the measures called for in connection with the Berlin issue.

Reduction of Arms

An 11-nation U.N. Subcommittee on October 25 adopted a Belgian resolution which would have the Security Council direct its Conventional Armaments Commission to continue the study of world arms reduction, emphasizing the need for an international control system for atomic energy use and for a close check on conventional armaments of all nations.

The Subcommittee of the Assembly's Political and Security Committee also rejected a Soviet proposal for one-third arms cut by permanent Members of the Security Council and the prohibition of atomic weapons. The vote was 6 to 2: the United States, Great Britain, France, Brazil, Belgium, and China voting affirmatively, the Soviet Union and Poland opposing; Lebanon and Australia abstaining.

The Belgian plan was approved paragraph by paragraph, with the Soviet Union and Poland opposing on every vote.

Immediately after the balloting on the two draft resolutions, the Polish Representative submitted another proposal which he said would meet general agreement. It was a combination of the defeated Soviet resolution and a Lebanese plan, which had earlier been withdrawn. It will be submitted in writing on Tuesday and acted upon by the Subcommittee on Wednesday.

The United States was among the nations supporting the Belgian proposal, which in effect replaced a French draft previously under consideration, which the United States had sought to amend to emphasize the need for world control of atomic energy along with conventional arms regulation.

On that score, the Belgian draft accepted today reads that:

... the aim of the reduction of conventional armaments and armed forces can only be attained in an atmosphere of real and lasting improvement in international relations which implies in particular the application of control of atomic energy involving the prohibition of the atomic weapon.

The resolution continues:

But noting on the other hand that this renewal of confidence would be greatly encouraged if states were placed in possession of precise and verified data as to the level of their respective armaments;

The General Assembly

Recommends the Security Council to pursue the study of the regulation and reduction of conventional armaments in order to obtain concrete results in implementing Article 26 of the Charter as soon as the improvement of the international atmosphere permits;

Trusts that the Commission for Conventional Armaments, in carrying out its program, will devote its maximum attention to formulating proposals for the receipt, checking and publication by an international organ of control endowed with universally accepted powers, of full information to be supplied by member states with regard to their effectives and their conventional armaments;

Invites the Security Council to report to it no later than its next regular session on the effect given to the present recommendation with a view to enabling it to continue its activity with regard to the regulation of armaments in accordance with the purposes and principles defined in the Charter.

The Conventional Armaments Commission has reported that it considered it futile to continue discussions, since the Soviet Union has refused to accept the majority wishes on any arms-reduction plan.

The Polish resolution, hastily offered, calls upon permanent Security Council Members to take the initiative by reducing in the course of one year a land, naval, and air forces, and to implement measures for arms cuts and for prohibition of atomic weapons. It would also establish within the Security Council an international control body to which full official data on arms and armed forces of the five major powers would be submitted.

United Nations

The Polish proposal for a reduction in armaments and prohibition of atomic weapons was rejected on October 27 by the Subcommittee on Disarmament Proposals set up by the U. N. Assembly Political Committee.

The Polish proposal, backed by the Soviet Union, was along the lines of the Soviet proposal turned down earlier during the week by the subcommittee. The vote was 6 to 2 with France, Lebanon, and Australia abstaining.

¹ BULLETIN of Oct. 24, 1948, p. 520.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

U.S. Delegations to International Conferences

High Frequency Broadcasting

President Truman approved on October 19 the nominations of R. Henry Norweb, Special Ambassador, as chairman and George E. Sterling, Commissioner, Federal Communications Commission, as vice chairman of the United States Delegation to the second session of the International Conference on High Frequency Broadcasting called by the International Telecommunication Union. The Conference is scheduled to open at Mexico City on October 22. Named by the President to serve as delegates are:

Francis Colt de Wolf, Chief, Telecommunications Division, Department of State
Ernest W. McFarland, United States Senator
Gael Simson, Consultant, Communications Liaison Branch, Department of the Army
Charles W. Tobey, United States Senator
Fred H. Trimmer, Chief, Facilities Planning Branch, Division of International Broadcasting, Department of State

The other members of the United States Delegation are as follows:

Advisers

Edward Cooper, Secretary, Senate Committee on Interstate and Foreign Commerce
Louis E. DeLaFleur, Assistant Chief, Frequency Allocation and Treaty Division, Federal Communications Commission
Lucio Delgado, Chief, Radio Program Branch, Division of International Broadcasting, Department of State
Raymond L. Harrell, Telecommunications Attaché, American Embassy, Habana, Cuba
Perry Harten, Chief, Studio Operation, Division of International Broadcasting, Department of State
Jack W. Herbstreit, Assistant Chief, Frequency Utilization Research Section, Central Radio Propagation Laboratories, National Bureau of Standards
Howard Hotchner, Assistant Chief, Broadcast Division, Division of International Broadcasting, Department of State
Joseph M. Kittner, Assistant to the General Counsel, Federal Communications Commission
Roger C. Legge, Jr., Propagation Analyst, Division of International Broadcasting, Department of State
Curtis B. Plummer, Chief, Television Broadcast Division, Federal Communications Commission
Dudley G. Singer, Attaché, American Embassy, Mexico, D.F.
A. Prose Walker, Chief, Allocations Section, Television Broadcast Division, Federal Communications Commission

Industry Advisers

Walter E. Benoit, Member of the Board of Directors, Westinghouse Radio Stations, Inc.
Charles B. Denny, Executive Vice President, National Broadcasting Company, Inc.
Royal V. Howard, Director of Engineering, National Association of Broadcasters
George Edward Hughes, Vice President, Director of International Broadcasting, Associated Broadcasters Inc.
Walter S. Lemmon, President, World Wide Broadcasting Foundation
Louis Henry MacDonald, Chief Engineer, World Wide Broadcasting Foundation
Justin Miller, President, National Association of Broadcasters.
Don E. Petty, General Counsel, National Association of Broadcasters
Forney A. Rankin, Executive Assistant to the President, National Association of Broadcasters
James P. Veatch, Manager, Washington Office of the Frequency Bureau, Laboratories Division, Radio Corporation of America

Press Liaison Officer

Dorsey Fisher, First Secretary and Public Affairs Officer, American Embassy, Mexico, D.F.

Secretary of the Delegation

Ellis K. Allison, Division of International Conferences, Department of State

Special Assistant to the Chairman

Vivian N. Cartwright, Special Assistant to the Chief, International Radio Frequencies Section, Division of International Broadcasting, Department of State

The first session of the International Conference on High Frequency Broadcasting held at Atlantic City, August-October 1947, voted to hold the second session of the Conference at Mexico City. It also established a Planning Committee for the Conference. The Planning Committee held meetings at Geneva in the spring of this year and at Mexico City beginning on September 13.

The aim of the forthcoming Conference is twofold: the first is to work out a plan of frequency allocations within the bands of the radio spectrum set aside for high-frequency broadcasting by the International Radio Conference at Atlantic City in 1947, and the second is to agree upon a convention which would establish an international organization to have cognizance of high-frequency broadcasting. The plan drawn up by the Conference will be forwarded to the Provisional Frequency Board of the International Telecommunication Union for inclusion in a report to a special administrative conference which will consider

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these recommendations to complete the reallocation of the entire radio-frequency spectrum.

The high-frequency (short-wave) broadcasting is greatly used by many nations for broadcasting to other countries. It is within these bands that the Voice of America conducts its broadcasting.

Meteorological

The designation of Norman R. Hagen, meteorological attaché, American Embassy, London, as United States Delegate to the meeting of the Regional Commission for Asia of the International Meteorological Organization (Imo) was announced by the Department of State on October 30. This meeting is scheduled to be held at New Delhi, India, November 10-17, 1948.

The purpose of the meeting is to promote the maximum degree of coordination and standardization among the meteorological services on the Continent of Asia. The Asian meeting is of particular interest to the United States since the U.S. Weather Bureau operates meteorological stations and offices in the Pacific which depend upon weather reports from the Asian area.

Included on the agenda are these topics: (1) network of stations; (2) meteorological reconnaissance flights over sea areas; (3) times of observation to be adopted in the region with reference to the Imo recommendations; (4) marine meteorology; (5) telecommunications; and (6) broadcasts.

Invitations to attend the forthcoming meeting have been extended by the Government of India to those governments that are members of the Regional Commission for Asia, and to those border countries which have expressed their desire to be represented at the meetings of the Commission.

The Regional Commission for Asia is one of six such commissions established by the Imo to deal with meteorological problems on a regional basis.

Semiannual Meeting of International Joint Commission Held

[Released to the press October 18]

The International Joint Commission met in executive session in the Victoria Building, Ottawa, Ontario, on October 12 and 13. George Spence of Regina, Saskatchewan, was acting chairman for Canada. A. O. Stanley, of Washington, was chairman of the United States Section. Commissioners Roger B. McWhorter and Eugene Weber, both of Washington, were also present.

Mr. Weber, who has been recently appointed, took the oath of office.

Members of the International Columbia River Engineering Board, composed of members acting

for the United States and Canada, were present as follows:

Victor Meek, Department of Mines and Resources, Ottawa
F. G. Goodspeed, Department of Public Works, Ottawa
Maj. Gen. R. C. Crawford, Corps of Engineers, U.S. Department of the Army, Washington
C. G. Paulsen, Geological Survey, Department of the Interior, Washington

Victor Meek, chairman of the Canadian Section of the Board, summarized its progress report of the preceding six months. He called attention to the work that has been carried on in British Columbia, Idaho, and Montana in respect to flood control on the Kootenay River, drilling operations for dams, and surveys of potential dam sites. The report stated that the Corps of Engineers' report (Seattle District) on the Libby Dam site has been forwarded to Washington and is under study by the Department of the Army.

A report was submitted by the International Souris-Red Rivers Engineering Board, the members of which are as follows:

J. W. Dixon, Bureau of Reclamation, Department of the Interior, Washington
Maj. Gen. R. C. Crawford, Corps of Engineers, U.S. Department of the Army, Washington
C. G. Paulsen, Geological Survey, Department of the Interior, Washington
Victor Meek, Department of Mines and Resources, Ottawa
A. L. Stevenson, Department of Agriculture, Ottawa
T. M. Patterson, Department of Mines and Resources, Ottawa

The progress report, which covered the period April-September, set forth the studies that are to be made in connection with the Red River of the North, with a view to flood control. This work will include studies to prevent floods such as those which have recently done so much damage in the City of Winnipeg. It was decided that the investigations should cover measures for the elimination of pollution.

A progress report was also submitted from the International Waterton-Belly Rivers Engineering Board, composed of the same members as the International Souris-Red Rivers Engineering Board. The report outlined the investigations that had been conducted in the basins of the rivers in the United States and Canada, covering the installation of gauging stations, the activities of the engineers of both Governments during the preceding six months, and the collection of data respecting the present and future uses of the waters of these streams.

The Commission decided to have further hearings at Detroit, Michigan, on November 15 and 16, and at Windsor, Ontario, on November 17, 18, and 20, on the references of the Governments of the United States and Canada in the matter of the pollution of St. Clair River, Lake St. Clair, and Detroit River. A hearing will also be held at San

St. Marie, Ontario, on November 22, in regard to the pollution of St. Mary's River.

The report of the International Souris River Board of Control in regard to a number of small applications from the Province of Saskatchewan for the use of waters of the Souris River was discussed, and the applications were approved by the Commission.

Dr. van Zile Hyde Appointed U.S. Representative to WHO Executive Board

[Released to the press October 18]

The recess appointment by the President of Dr. van Zile Hyde as United States Representative to the executive board, World Health Organization, was announced on October 18 by the White House.

The President also approved the appointment of Dr. Wilton L. Halverson, Director of Health of the State of California, as alternate United States representative to the second session of the executive board, which is scheduled to meet at Geneva beginning October 25. Dr. Hyde, Senior Surgeon of the United States Public Health Service and Assistant Chief of the Health Branch, Office of United Nations Affairs, Department of State, and Dr. Halverson will be accompanied by Howard B. Calderwood of the Department of State, who will serve as adviser on the United States Delegation.

All three were members of the United States Delegation to the First World Health Assembly, which met at Geneva last June.

Informal Participation in Bolivian International Fair

[Released to the press October 21]

The United States Government will participate informally through the American Embassy at La Paz, in the Bolivian International Fair (La Paz Quatro-Centenary Exposition) and has sent a number of technical documentary films and historical pictures of the United States to La Paz for display. This exposition, which opened October 20, 1948, and will probably continue until the end of the year, commemorates the 400th anniversary of the founding of the city of La Paz in October 1548 by Alonso de Mendoza, an officer in the Spanish Army. Most of the nations with which Bolivia maintains diplomatic relations have been invited to exhibit the products of their industries.

Several American business firms at La Paz have leased a pavilion at the site of the fair. These firms with other industrial corporations will exhibit their products in this building known as the "American Pavilion". A room has been set aside in this building for the picture display and the showing of the American Government films.

THE RECORD OF THE WEEK

U.S.-U.K. Zone of Trieste Admitted to OEEC Membership and U.S.-Yugoslavia Bilateral Agreement Concluded

[Released to the press October 18]

The Council of the Organization for European Economic Co-operation on October 14 admitted the U.S.-U.K. zone, Free Territory of Trieste, to membership in that organization. In addition, an economic cooperation agreement was concluded October 17 in Trieste between the U.S. Government and the commander of the zone. This agreement follows closely the pattern of agreements already concluded between the U.S. Government and other participating countries, with appropriate modifications to take into account the special status of Trieste as provided in the treaty of peace with Italy.

Assistance to the U.S.-U.K. zone of Trieste from the United States has until now been on a relief basis, limited to the goods required to assure the population the necessities of life and prevent economic retrogression.

Now the zone is embarking upon a recovery program which will encourage the rehabilitation of its economic life. By joining in cooperative efforts with the other participating countries the zone will also benefit from the strengthening of economic relations which were of such importance to it in the past, and it will be enabled to make its contribution to European recovery.

Participation of the U.S.-U.K. zone in the recovery program will call for close and continual consultation between the zone and the Italian Government to assure that their programs take into account their common interests and that the terms of the economic agreements concluded between the zone and Italy under the provisional regime of the Free Territory are followed.

Recommendations on Problems of Educational Exchange With Eastern European Countries

REPORT OF THE U.S. ADVISORY COMMISSION ON EDUCATIONAL EXCHANGE

MY DEAR MR. SECRETARY:

The United States Advisory Commission on Educational Exchange has given consideration, at the request of the Department of State, to problems of educational exchange as regards the countries of eastern Europe. We submit herewith our recommendations.¹

The educational exchange program is based upon the conviction long held and amply demonstrated by civilized nations that free interchange of persons and ideas between nations is a source of understanding, enrichment, and progress. Since the effectiveness of such a program will depend not only upon its range or extent but also upon the voluntary and unprejudiced spirit in which it is conducted, it is obvious that its greatest usefulness will be in relation to the free and democratic countries of the world which are glad to avail themselves of its reciprocal advantages.

Although this memorandum deals with the countries of eastern Europe, the Commission wishes to emphasize that, for reasons which will be cited, the program of educational exchange will be more limited in scope and immediate effectiveness in these barricaded regions of the world than is the case where normal and friendly contacts obtain.

The obstacles which have been placed in the way of educational and cultural exchanges by a number of the countries of eastern Europe are well known and need not be detailed. Many efforts have been made by official and voluntary agencies in this country to establish exchanges with these countries but with very few results. In authorizing this program, the Congress of the United States laid down in the Smith-Mundt Act the principle that all official exchanges should be upon a reciprocal basis. Since for the present most of the eastern European governments are unwilling to reciprocate,

it is not recommended that the United States sponsor government-supported exchanges with them until their governments give evidence of operation in the mutually helpful and friendly spirit of the Act. This unwillingness to reciprocate will also currently exclude exchange with these countries under the Fulbright Act which requires negotiations by the governments involved with assurances that acceptable exchange projects in both directions can be initiated and carried out.

We have, however, many unofficial opportunities for contacts and exchange of persons with these countries. Not only students, scholars, and scientists are involved, but also representatives of professions, such as journalism and medicine. While these exchanges are initiated and sponsored by voluntary agencies, the Department of State must make available the necessary travel papers and it is often called upon to facilitate the exchanges in other ways. Should it do this?

The Advisory Commission, after a full study of the problem and of the difficulties involved, is convinced that the United States Government should not close the door to these unofficial exchanges, and we so advise the Department of State. Our reasons for this are several.

In the first place, it is clear from the evidence submitted to us, that our experience in these exchanges, on the whole, has been a good one. When some difficulties have been encountered, the exchanges with eastern Europe have brought about the correction of erroneous beliefs about this country, and a greater appreciation of its institutions, and a more critical outlook toward totalitarian regimes.

This practical experience is strongly supported by certain general considerations. For the United States to close its doors to all contacts with the nations with whose philosophy it disagrees would be to pull down an iron curtain on our own side of the Atlantic, to adopt a policy which we condemn and to lose in world opinion much of the moral leadership which this country has enjoyed. Many of our own nationals, furthermore, need upon occasion to visit the countries of eastern and southern Europe for business, journalistic, scholarly or other purposes. We cannot well require the privileges which we in turn deny. These considerations, together with the positive gains which flow from such interchange in the correction of

¹ The Commission met for a two-day session on Oct. 18 and 19, 1948. The next meeting is to be held in Washington on Nov. 15, 1948. For a review of the first meeting of the Commission on Sept. 10, 1948, see Department of State publication 3313. This report was released on Oct. 19, 1948.

The Commission by resolution recommended that the Department of State use the Library of Congress and the National Gallery of Art as repositories for recovered cultural objects and works of art looted from the occupied areas, until these objects can be returned to their rightful owners at a time to be determined by the Department.

misinformation and the removal of prejudices from us to justify the maintenance of a broad policy of interchange. To cut off contacts with totalitarian nations of the world because of fears as to what might happen to democratic institutions through such contacts would imply a weakness which has no justification in fact. No army ever burned its bridges except in retreat. The democratic way of life is not now in retreat. Such an interchange of persons between the United States and the countries of eastern Europe obviously will require careful control.

American officers, responsible for issuing visas and permission to enter the United States should satisfy themselves, as far as possible, that individuals desiring to come to this country have no subversive intentions, but serious and *bona fide* academic, professional, or vocational purposes. Limits should be for not more than one year, though subject to renewal.

We do not recommend that the Department encourage immature and inexperienced American students to undertake study under present conditions in eastern Europe. Maturity of judgment and experience is desirable in order to appraise critically the instruction received, to profit most from the total experience, and to avoid personal episodes. In all cases of Americans permitted to travel in any of these countries, it is desirable that they be informed before departure as to conditions that they will encounter. We recommend that the State Department accept the responsibility for seeing that this is done. We believe that restriction of the travel of individuals entering the country or of Americans going abroad under the sponsorship of organizations recognized as subversive is desirable.

A special problem exists with reference to the holding of international conferences, congresses, and institutes. Many such meetings are held by reputable organizations which include as participants persons with conflicting political views. Present United States statutes and regulations governing the entrance of foreign nationals make it difficult for some of these persons to attend these meetings. This eliminates the United States as one of the meeting places for organizations of a widely international character. This is undesirable from many standpoints. We recommend that a more liberal policy be followed in granting permission to enter for individuals desiring to attend the reputable meetings of this kind.

Letters of Credence

Sweden

The newly appointed Ambassador of Sweden, Erik C. Boheman, presented his credentials to the

October 31, 1948

President on October 20. For texts of the Ambassador's remarks and the President's reply, see Department of State press release 854 of October 20, 1948.

Claims Settlement Agreement Between U.S., France, and Australia

[Released to the press October 19]

An agreement was entered into on October 19 by the United States, France, and Australia setting forth a procedure for settlement of cargo claims arising out of the requisitioning by the United States of the S. S. *Maréchal Joffre*, a French vessel which was loading general commercial cargo in the Philippines at the time of the Japanese attack in December 1941. The vessel was taken by the United States Navy to Australia, where its cargo was unloaded, and it was then pressed into service in the interest of the war effort.

Under the agreement which implements a general agreement forming part of the lend-lease and claims settlement with France of May 28, 1946, the French Government will settle claims of all owners of cargo landed in Australia and will pay United States citizens in dollars.¹ Australia will turn over to the French Government the proceeds, in Australian pounds, of sales of items in the cargo which they effected after unloading in Australia.

The agreement was signed on behalf of the United States by Under Secretary Robert A. Lovett; by Henri Bonnet, the French Ambassador, on behalf of France; and by Norman J. O. Makin, the Australian Ambassador, on behalf of Australia.

Visit of Secretary Marshall to Greece

Secretary Marshall arrived in Athens on October 16 and was greeted at the airport by Prime Minister Sophoulis. The Secretary told a press conference on October 18 that "we are deeply concerned in the desire to be of assistance to the rehabilitation of Greece".

In connection with Secretary Marshall's visit the following statement was released to the press in Athens on October 18:

"The Secretary has been trying to get to Greece for some time. The United States has assumed heavy commitments and heavy responsibilities in this area in which he is officially much involved. He had planned the trip for last week end but he left for Washington last Friday.

¹ BULLETIN of June 9, 1946, p. 994, and June 30, 1946, p. 1127.

THE RECORD OF THE WEEK

"This is a difficult time to leave Paris with Berlin and the atomic questions being actively discussed and Palestine coming up shortly.

"It did not appear that a longer wait would offer a more propitious time for a visit so he decided to come this week end.

"He is very happy to have even this very brief visit to Greece."

The Greek Prime Minister accompanied Secretary Marshall to the airport when he departed on October 18.

Uprising in Korea Reported

[Released to the press October 21]

The Department of State has received a report from the United States Special Representative to Korea, John Muccio, that on the morning of October 20 Seoul received reports through Korean channels of an uprising in the port town of Yosu in the Cholla Namdo Province.

Mr. Muccio said that exact information was lacking but that it was fairly well established that while a battalion of the Fourteenth Korean Constabulary Regiment was being mustered for transfer to Cheju-do (an island off the coast) some 40 men mutinied. They were joined by an undetermined number of civilians. A group reportedly numbering 500 commandeered a train and headed for Suncheon.

No Americans, military or civilians, have been in any way involved.

U.S. To Investigate Mexican Charges of Illegal Entry of Mexican Workers

[Released to the press October 19]

The Chargé d'Affaires of Mexico in Washington called at the Department on October 18 to express the concern of the Mexican Government at the actions which he said were recently taken on the Mexican border near El Paso by United States immigration authorities in permitting and facilitating the illegal entry of Mexican farm workers into Texas. The Chargé pointed out that this action was in violation of the agreement entered into by the Governments of Mexico and the United States last February 21¹ and had not only caused surprise in Mexican official circles but was already creating widespread popular reaction. He pointed out further that the uncontrolled exodus of so many workers from northern Mexico represented serious economic loss to the agricultural production of that area and expressed the hope that

¹ BULLETIN of Mar. 7, 1948, p. 317.

² Proclamation 2819, 13 Fed. Reg. 6193.

prompt and effective action would be taken by the United States Government to rectify the matter. The Chargé said that his Government felt it had no other recourse than to consider the agreement of February 21 as abrogated because of the unilateral action on the part of this Government by certain United States officials.

Assurances were given to the Mexican Chargé d'Affaires that the matter would be immediately investigated by the Department in the hope of either making satisfactory explanations to the Mexican Government or taking such corrective measures as seemed necessary. The hope was expressed to the Mexican Chargé that, considering the traditional and deep feelings of cooperation and friendship between the two neighboring countries, everything should be done by both Governments to minimize the adverse effects of the incident. The Department is taking the matter up officially with other interested agencies of the Government.

Reciprocal Copyright Relations Between U.S. and the Philippine Republic

In an exchange of notes dated October 21, 1948, between Joaquin M. Elizalde, Philippine Ambassador at Washington, and Robert A. Lovett, Acting Secretary of State, there are set forth the conditions upon which the benefits of the copyright law of each country will be extended to authors and copyright proprietors who are citizens of the other country.

The note from the Philippine Ambassador is accompanied by a copy of a proclamation issued on October 21, 1948, by Elpidio Quirino, President of the Republic of the Philippines, according to copyright privileges to authors and copyright proprietors of the United States. The note from the Acting Secretary of State to the Philippine Ambassador is accompanied by a copy of a proclamation issued on October 21, 1948, by the President of the United States pursuant to Public Law 280, 80th Congress (61 Stat. 652), extending to Philippine authors and copyright proprietors the benefits of the copyright law of the United States.²

For texts of the above-mentioned notes and accompanying proclamations see Department of State press release 855 of Oct. 21, 1948.

THE FOREIGN SERVICE

Closing of Consular Offices and Reopening of Office at Martinique

[Released to the press October 18]

A further realignment of posts in the Foreign Service was disclosed on October 18 with the reopening of one United States Consulate and the closing of two others. The one ordered reopened

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on the French-owned island of Martinique, in the West Indies. The two scheduled to close down in Limerick, Ireland, and Bristol, England. The decision to abandon the Consulate on Martinique was based primarily on efforts to effect budgetary savings, as announced less than a month ago; but since then representation made to the Department of State has brought about a change of plans. Martinique, it will be recalled, played an interesting role in the early part of World War II, when it was the outpost nearest to the United States of the Vichy government.

While the Consulate at Limerick is being closed, a small Foreign Service staff is to be retained at the nearby Shannon Airport, so that services regularly performed for Americans traveling overseas by air will not be curtailed. Normal business for Americans at Limerick has gone down since the end of the war and there are now less than 200 U.S. citizens residing in the Limerick area.

The Consulate at Bristol is being closed because slackening in routine business there seems to make this an advisable place to cut Foreign Service expenses at a time of budgetary stringency.

THE DEPARTMENT

Appointment of Officers

William C. Johnstone, Jr., as Director of the Office of Educational Exchange, effective August 10, 1948.
Russell L. Riley as Executive Officer of the Office of Educational Exchange, effective June 23, 1948.

PUBLICATIONS

Department of State

For sale by the Superintendent of Documents, Government Printing Office, Washington 25, D. C. Address requests for sale to the Superintendent of Documents, except in the case of free publications, which may be obtained from the Department of State.

Report of the United States Library Mission To Advise the Establishment of the National Diet Library of Japan. Far Eastern Series 27. Pub. 3200. 41 pp. 15¢.

Report submitted to the Supreme Commander for the Allied Powers, February 8, 1948, on the services which an adequate national library may be expected to render to Japan; a summary of the proposals submitted by the Mission to the Diet Committees; and the text of the National Diet Library laws as enacted on February 4, 1948.

International Office of Public Health. Treaties and Other International Acts Series 1754. Pub. 3212. 54 pp. 15¢.

Protocol Between the United States and Other Governments—Signed at New York July 22, 1946; ratification advised by the Senate of the United States July 19, 1947; ratified by the President of the United States July 28, 1947; ratification of the United States deposited with the United Nations at Lake Success August 7, 1947; proclaimed by the President of the United States May 19, 1948; entered into force October 20, 1947.

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Exchange of Official Publications. Treaties and Other International Acts Series 1767. Pub. 3235. 3 pp. 5¢.

Agreement Between the United States and the Republic of the Philippines—Effectuated by exchange of notes signed at Manila April 12 and June 7, 1948; entered into force June 7, 1948.

Cooperative Rubber Plantation Investigations. Treaties and Other International Acts Series 1771. Pub. 3245. 4 pp. 5¢.

Agreement Between the United States and Haiti Amending Letter Agreement of January 24, 1941—Effectuated by exchange of notes, signed at Port-au-Prince February 3 and 11, 1948; entered into force February 11, 1948.

Economic Cooperation with Norway Under Public Law 472—80th Congress. Treaties and Other International Acts Series 1792. Pub. 3254. 53 pp. 15¢.

Agreement Between the United States and Norway—Signed at Oslo July 3, 1948; entered into force July 3, 1948.

Economic Cooperation with the Netherlands Under Public Law 472—80th Congress. Treaties and Other International Acts Series 1791. Pub. 3266. 63 pp. 20¢.

Agreement Between the United States and the Netherlands—Signed at The Hague July 2, 1948; entered into force July 2, 1948.

Selected Publications and Materials Relating to American Foreign Policy. October 1948. Pub. 3304. 25 pp. Free.

List of Department of State publications relating to U. S. participation in the United Nations and its specialized agencies, to the making of the peace, the occupation of Germany and Japan, and economic reconstruction.

Korea, 1945 to 1948. Far Eastern Series 28. Pub. 3305. 124 pp. 25¢.

A report on political developments and economic resources, with selected documents.

International Educational Exchange; United States Advisory Commission and the Program of the Department of State. International Information and Cultural Series 3. Pub. 3313. 10 pp. Free.

Report of the 1st meeting of the U.S. Advisory Commission on Educational Exchange and a brief résumé of the international exchange program of the Department of State.

THE CONGRESS

Foreign Aid Appropriation Act, 1949. S. Rept. 1626, 80th Cong., 2d sess., to accompany H. R. 6801. 17 pp.

Authorizing the Secretary of State To Perform Certain Consular-Type Functions. S. Rept. 1759, 80th Cong., 2d sess., to accompany H. R. 4330. 2 pp.

Investigation of Federal Employees Loyalty Program. Interim Report of the Investigations Subcommittee of the Committee on Expenditures in the Executive Departments, pursuant to S. Res. 189 (80th Cong.), a resolution authorizing the Committee on Expenditures in the Executive Departments to carry out certain duties. S. Rept. 1775, 80th Cong., 2d sess. iii, 29 pp.

Summary of the Legislative Record of the Eightieth Congress, Second Session, Together With a Statement Relative Thereto Pursuant to a Request of the Honorable Alben W. Barkley, United States Senator From Kentucky. S. Doc. 203, 80th Cong., 2d sess. ii, 38 pp.

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VOICE OF AMERICA

by Assistant Secretary George V. Allen

the time of the debates in Congress a year ago as to whether there should be a Government program of foreign information, many people felt that America was being vilified abroad from every angle and that we should make some answer by short-wave radio. We could not send out quantities of American newspapers and magazines and American visitors could not go in and out with people of many foreign lands. Any possibility of penetrating certain areas would have been by radio through the Voice of America.

The real Voice of America is the voice of the thousands of newspapers, periodicals, public officials, public officials, private groups, or individuals—anyone and everything which, if fused together by some magic process, would make up a articulate and composite voice of the 147 million people of the United States. If our short-wave program is to be the true Voice of America, it will reflect their views, not so much as expressed in quadrennial elections but in their day-to-day lives.

Nobody seems to be certain about the origin of the term "Voice of America", although a man who runs a short-wave broadcasting station in England claims that he first used it about 1938 in a private short-wave broadcast to Europe. He has since just tagged his broadcast the Voice of America, and it caught on. It is one of those terms that, by continued use, gets more and more currency and builds around itself a connotation that makes it hard to discontinue. Many words and terms in the English language are used, nobody knows quite why or how. When a word achieves currency and is firmly established, it sometimes becomes beyond changing. The American public has developed the term "Voice of America".

The purpose of the information program of the Department of State, of which the Voice of America is a part, is to assist in achieving the aims of American foreign policy. The chief aim of this policy today is the preservation of the democratic way of life, including notably the preservation of the freedom of the press and the American system of private enterprise and initiative. The achievement of this goal is the concern of every American.

Our information service is therefore fighting every day to preserve and extend the very principles which the American press so excellently exemplifies. We shall continue to fight with every means in our power.

American journalism and American radio are far ahead of journalism and radio anywhere else in the world. They achieved that outstanding position through the American system of private enterprise. If that system breaks down, our pre-eminent position in the world will deteriorate. The entry of Government into the information field should not threaten private activities. We hope we can pool our resources, both of Government and of private industry, for the very purpose of preserving private enterprise.

Even though the Government will always have a responsibility to make its policies known to the public, its entry into the general-information field is temporary, dictated by the world situation. With the triumph of democracy on a broad scale, it is hoped that private enterprise will in time be able to perform the general-information functions entirely and that the activity of all governments in the field of information will reduce finally to the vanishing point.

We are awaiting for the day to come when no air waves of the world are taken up with the

efforts on the part of one people to propagandize another. But we live in a realistic world. For the moment, therefore, since private industry will not undertake this job, Government must send out American information by radio. This is the only feasible means for us to reach the people behind the Curtain. Let us be certain that the Voice of America represents genuine American principles—American democracy and liberty and freedom.

The United States Government did not get into broadcasting before 1942. Most countries outside the United States—certainly most of those in Europe—have always maintained a government monopoly of radio broadcasting, both for domestic and foreign programs. In Great Britain, for example, only one organization, the British Broadcasting Company (BBC), broadcasts both to people inside Britain and to other people all over the world.

The greatest safeguards to the freedom of information as agreed to in principle by 35 nations at a recent meeting in Geneva on freedom of information is a multiplicity of sources. The radio listener can hear only one man's view of the truth or the news if there is only one voice on the air. Full liberty to tune all over the radio dial is meaningless if only a single program is broadcast. It takes a multiplicity of ideas and views on a problem to give the people who are listening the background necessary for them to form their own judgments.

But most European countries—all of them with only one or two minor exceptions—have had government-controlled programs since the beginning of radio, both for their medium (standard) wave inside their country and their short-wave programs going abroad.

Governments which control their broadcasting systems soon began to use them in the short-wave bands to project their policies outside their own territory, trying to reach into the minds of the other people and convince them through methods of propaganda. The first time any government began to try, on a larger scale, to convince another people of its ideas and thoughts was in 1936, when the Nazi Government of Germany put on a Russian-language program designed, purely and simply, to speak in the Russian language to the Russian people—to reach over the heads of the

Soviet Government and get down to the business to try to tell them the Nazi story.

Very shortly after that, the Nazis put programs in English and French. In 1938 the British and the French systems also began government-sponsored programs in foreign languages, reaching into the hearts of other countries. The United States didn't start such an operation before Pearl Harbor. In 1942 the United States Government began broadcasting in foreign languages to foreign peoples. Since 1929, NBC and CBS had done some short-wave broadcasting from the United States as a commercial venture, but they had beamed those programs only to Latin America, in Spanish, and had had no government support. When the war started, the private companies could no longer sell advertising on their foreign-language programs, and United States radio stations were about to go off the air. The private companies suggested that the Government take over the operation for the duration of the war, mainly as a war effort but partly as a method to keep the programs going.

Two separate Government agencies were set up to do that operation. One, the Office of War Information, under Elmer Davis, was given the responsibility for broadcasting to the Far East, Europe, and Africa. An Office of Inter-American Affairs, set up under Nelson Rockefeller, was in charge of the information work in Latin America. Both organizations—the OWI and the OIA—had many activities in addition to short-wave radio programs.

At the end of the war, in the fall of 1945, the wartime agencies which had been set up for the prosecution of the war, including OWI and OIA, were discontinued. Certain pertinent functions, however, were lumped temporarily into the Department of State under an Assistant Secretary for Public Affairs.

Nobody knew whether the Government was going to continue to engage in radio broadcasting. Many people thought that the Government's information work, a wartime activity, ought to be cut off at the end of the war. They felt very genuinely that this was a field that should be reserved for private industry—that American newspapers and magazines and radio stations could tell foreigners about the United States a great deal better than a Government bureau could.

rate broadcasting companies had been willing, at the time, to broadcast on short wave to all countries, the Government, using the taxpayer's money, would possibly have been taken over by the operation immediately. But no private broadcasting company was willing to engage in this activity. They couldn't sell nearly enough to make it pay. During 1941, which was the last year the private companies undertook to broadcast programs to Latin America, both of the two networks, NBC and CBS, lost about 600 or 800 thousand dollars. Consequently, we were faced with the fact—shall we have a government program or shall we have no short-wave program at all?

Many people thought that perhaps it would be better to have no program at all. They hoped some day the private companies would again take up short-wave broadcasting, when the world situation would be such that people could use efficient goods abroad to justify corporations spending money to advertise their goods.

During the war close relations existed among all allies, and there was a natural hope that this cooperation would continue in peacetime. The war was short-lived. Even before last summer, radio waves coming out of Eastern Europe were heavily filled with falsehoods about the United States. For example, when I was Ambassador to Moscow I listened to vilification and misrepresentation of American motives day after day after day. I could have taken the point of view that the lies would fall by the wayside; truth would eventually prevail, and we should not even bother to answer.

However, most of the members of Congress concluded that the time had come when we should be answering back, giving the truth. They decided, for example, that the American taxpayer, during the war, had contributed about 560 million dollars for the relief and recovery of Poland alone, in connection with various efforts to put the war-torn countries of Europe on their feet.

But, in Warsaw the people were being told day after day that the purposes of our effort were imperialistic, that Wall Street wanted to get its claws on the economy of this country, and that the United States was out to expand its control and domination throughout the world. Americans began to ask, "Shall we continue to

pour out our money in an effort to bring about honest reconstruction and the preservation of democracy and liberty without telling people what our purposes are? Shouldn't there be some agency responsible for the job of telling foreigners what American policy is?" That view prevailed, and Congress passed Public Law 402 of the 80th Congress, known as the Smith-Mundt Act, providing for both an information program and a longer range educational exchange or cultural-relations program, to be considered integral parts of the permanent conduct of the foreign relations of the United States. The purpose was to let the peoples of the world know the true aims of the United States Government and what the American people are.

Eight or ten transmitters daily broadcast the Voice of America Russian program. We have already identified 18 Soviet transmitters which the Soviet Government is using in an effort to "jam" us. The Soviets use more power and effort and time of their transmitters in trying to jam us than we use in sending out the programs. Their jamming robs them of the use of transmitters that are so much needed for their own internal and foreign-propaganda work. They certainly would not devote valuable time of their transmitters if our programs did not "sting".

One naturally wonders whether our programs still get through in spite of all their jamming. There are various proofs, particularly in Eastern Europe, but also in the U. S. S. R. itself, that they do get through: Radio Moscow, in its own programs, consistently analyzes the programs of the Voice of America and tries to refute them; and if it cannot find arguments, it starts calling names. The Soviet press and radio, despite the great amount of jamming, also pay constant attention to our programs.

No law in the Soviet Union at present makes it illegal for a Russian to listen to a foreign broadcast. One reason is that although Radio Moscow and *Pravda*, *Izvestia*, and all other Soviet newspapers spend most of their time screaming against our programs, the Soviet Government tries to pretend that we are having no effect at all—that the Soviet people are solid and that they cast at every election 99 percent of their votes for the Government. They pretend that our broadcasts would not convince anybody; thus it would be incon-

sistent if they made it illegal for a person to listen to us. Furthermore, all sorts of foreign broadcasts go into Russia. If they banned all listening to short wave, Russians could not listen to Radio Warsaw, or Bucharest, or Praha, or even to Radio Moscow itself, since many Soviet programs are sent out on short wave to reach all parts of the Soviet Union.

The Smith-Mundt Act is often referred to as a turning point in the conduct of our foreign relations, but this type of activity has always been carried on by American Government representatives abroad as a normal part of their activities. The work of an American Consul or Minister or Ambassador abroad has always been that of explaining what the United States is trying to do and what America is like. They meet with the local press, make public addresses on American foreign policy, and talk to individuals, and have done so since the beginning of our history. The Smith-Mundt Act recognizes in legislation the fact that information about the United States and explanations of our policy are an integral part of the conduct of foreign relations. The act is the guidebook for our activities at the present time.

The act was signed in January of this year. Almost immediately thereafter, several committees of the Congress began a series of investigations of our operation. Members of the House Committee on Appropriations discovered the fact that certain broadcasts in the Spanish language were being beamed to South America, giving alleged background of a very curious sort about the United States. The broadcasts were a series of programs, 15 minutes every Wednesday, called "Know North America".

That series happened to come to light by pure chance. An investigator of the House Appropriations Committee, acting for Representative Taber, asked to have a look at some sample scripts which the Voice of America was sending out. He picked up a calendar and said, "You can choose your date—send over scripts for either the 15th, 16th, or 17th of February". The person who had handled the request selected entirely by chance the 15th of February. He could have selected the 16th or the 17th. The Know North America series, which goes out only once a week, happened to go out on that 15th. If the 16th or the 17th had been chosen, the series which led to the investigation might never have come to light.

The subject of the February 15 script was coming. It referred to Indian maidens running foot races "undressed and unfeathered". This led to prompt demands for scripts on other subjects. The one on Texas included a remark by a Spanish American tourist, quoting a passage from Gunther's *Inside U.S.A.* to the effect that Texas had been born in sin and New England conceived in hypocrisy.

Both Houses of Congress made an immediate demand for investigation of why this type of program was going out, particularly to find out whether the persons who were sending out this kind of misrepresentation of the United States were merely careless, whether they thought it was amusing, or whether there was a deeper, more pervasive significance in it. Several committees were involved with each other for the privilege of holding the hearings. Both the House Committee on Executive Expenditures and a joint committee of the Senate Committee on Foreign Relations and the Executive Expenditures held investigations. Reports issued at the close of those investigations pointed the finger quite properly at the Department of State for not having adequately supervised the programs.

The truth of the matter was that the programs were written in Spanish, and nobody in the Department of State had translated them or, indeed, even knew what was in them. One might say, "How in the world did a situation of that kind come about?"

During the evolution of the legislation it was thought that private industry would not undertake an extensive short-wave information program because it was not commercially feasible. Government money, therefore, had to be voted for it to be done. Congress stated clearly that private industry could do a better job than Government and could do it more efficiently and more effectively. The State Department, therefore, was put under strict instructions to use private industry for short-wave broadcasting to the maximum extent feasible.

The legislation made provision for contracts to be made with private broadcasting agencies (such as NBC and CBS) that would carry on about 70 percent of the broadcasting, including all the broadcasting to Latin America. The State Department undertook to do about 30 percent itself, including the broadcasts beamed to the Iron Curtain countries.

tries of Central and Eastern Europe. Those were the more delicate areas, and the script writer had to be in immediate contact with the policy of the Government and had to have inside information in order to be able to do the job. The private companies recognized the heavy responsibility of broadcasting into that area. If they said something that was not in accord with policy or with facts, they might cause great mischief. They were happy to have the State Department undertake the responsibility for Iron Curtain broadcasting.

The Know North America series was one of the broadcasts being done by NBC under contract with the Department of State. Taxpayers' money was being used to pay for it, but considerable honest difference of opinion arose between the private broadcasting companies and the representatives of the Department of State regarding the extent of the Department's responsibility for supervising those programs.

Some officials of the commercial companies said, in all honesty, whenever the question of State Department supervision arose during the past year, that the Government did not know how to run a broadcast, that private companies had had great experience in broadcasting and had built up through private initiative and energy the great American broadcasting systems and knew a lot more about this than the Government. They pointed out that Congress had shown its recognition of this fact when it had required by law that private industry be used to the greatest extent possible.

The chief advantage of the investigations which Senator Ferguson and his committee held was to clarify the question of responsibility beyond any doubt. The Senator indicated that if taxpayers' money was involved, the State Department had full responsibility for supervision. But whenever we went to the National Broadcasting Company or the Columbia Broadcasting Company and said their scripts were not telling the proper story about the United States and that we felt we should blue-pencil this or that, they were naturally inclined to cry "censorship". They pointed out that the U.S. Government spends taxpayers' money to

buy the New York *Times* every day for our official United States libraries abroad, but we do not tell the *Times* what to say in its columns or editorial page. Most of our libraries have John Gunther's book, from which the objectional passages were quoted. Should they tear out the offending pages?

As a result of the investigations, the private companies are now telling us:

"All right, you win. We recognize now that the Congress considers the State Department to have full responsibility for every word that is said over Voice of America programs, whether those programs are written by the State Department or by a private agency. Congress says that since taxpayers' money is involved, we can't hide behind the skirts of any provision of the law stating that private companies can broadcast more effectively than the Government. We now recognize what Congress wants you to do about it. But if that is the way it is, we don't want to have anything more to do with it."

So they came to us on July the first and said: "Please take this program back. We don't want to have it any more. You do 100 percent of the broadcasting."

Many people have asked the Department whether it plans to increase the Voice of America program in the light of the world crisis. In reality, the Department has more interest in improving the programs that it has, in making them good, hard-hitting, solid, effective programs, than in using, for example, more languages such as Vietnamese, Siamese, Indonesian, Malayan, Pushtu, and Hindustani.

It has been pointed out that the Department of State could get ten times more listeners to the Voice of America broadcasts if entertainment were featured. The Congress of the United States, however, did not appropriate money for the purpose of entertainment. The Department would have an endless job if it undertook the task of entertaining the two billion peoples of the world. The Voice of America, therefore, does not include programs of dance records and other forms of entertainments. Its principal job is one of information.

THE UNITED NATIONS AND SPECIALIZED AGENCIES

U.S. Urges Acceptance of Draft Resolution on Berlin Crisis

STATEMENT BY PHILIP C. JESSUP¹

Deputy U.S. Representative in the Security Council

Mr. President, I should also like to pay tribute to the statesmanship which has produced this draft resolution which is now before us. Members of the Security Council who have worked with you, Mr. President, have themselves borne witness to the fact that the achievement of this result in the course of their deliberations was the result of your leadership in the discussions which have been going on. We recognize this draft resolution as the result of an imaginative and a sincere effort to find a solution to a difficult problem. The effort has been made in accordance with the best traditions of the international principles typified in the Charter of the United Nations. Since we so regard this resolution, we have received it with respect and we have given it careful study.

Mr. President, as I listened also to the views which were expressed here on Friday by those who joined in submitting this resolution, I felt reassured that the intent and purpose of this resolution are the same as those which we understand from studying its text. The resolution is characterized by the spirit of reciprocity and the development of a logical progression of ideas. As we understand the resolution, it contemplates the following program.

On the day of the notification of the resolution to the four Governments concerned, two events will take place, or in the words of paragraph 2 of the resolution, two steps will be put into effect. The first step which is mentioned and which is to be put into effect on the day of the notification is the reciprocal removal of the restrictions imposed since March 1, 1948, by the Soviet Union and by the three Western Governments on communications, transport, and commerce between Berlin and the Western zones of Germany and to and from the Soviet zone. Immediately upon the adoption of this resolution and even before its

formal notification, the Government of the United States would be prepared to take steps to assure compliance on our part with the provisions relative to the lifting of the restrictions and the meeting of the Military Governors. We assume that the brief interval which will elapse between the adoption of the resolution and its formal notification will be sufficient to enable all of the four Governments concerned to issue the necessary orders.

The second step which is mentioned and which is to be put into effect on the same day, that is, the day of notification, is a meeting of the four Military Governors in Berlin. The purpose of this meeting is to arrange for the unification of currency in Berlin on the basis of the German mark of the Soviet zone under adequate Four Power control. The principles which will guide the four Military Governors in making these arrangements are those agreed upon in Moscow and embodied in the directive of August 30, 1948. These meetings are to be concluded not later than the 20th of November. Under the program outlined in the resolution, the Council of Foreign Ministers will meet on November 30 unless the arrangements to be made by the four Military Governors are concluded before November 20, in which case the Council of Foreign Ministers will meet at an earlier date, namely, ten days from the conclusion of the work of the Military Governors. However, the Four Powers jointly agree the meeting of the Council of Foreign Ministers can be held at any other day.

Mr. President, the United States in a spirit of accommodation is ready to accept this resolution. We accept the principles stated in it and would be prepared to carry it out in full good faith. I hope, Mr. President, that there is no member of the Council who will not similarly find in this resolution a reasonable and fruitful program for the solution of a grave problem.

Later Mr. Jessup said:

Department of State Bulletin

¹ Made in the Security Council at Paris Oct. 25, 1948, and released to the press by the U. S. Delegation on the same day.

Mr. President, the United States has taken note of the declaration of the Representative of the Soviet Union that it proposes to veto the resolution which has been proposed by six members of the Security Council.² In the judgment of the world, Mr. President, this was a just and reasonable resolution drafted by fair-minded statesmen of six countries from regions scattered widely all over the globe. It was proposed by them in the discharge of their responsibilities as members of the Security Council and in an honest attempt to settle this difficult problem.

The Representatives of France, of the United Kingdom, and of the United States accepted this resolution. If the Berlin question is not settled on the basis of the proposition stated in this resolution, the responsibility will rest squarely and unavoidably on the Government of the Soviet Union.

Mr. President, the Representative of the Soviet Union referred at some length to the so-called directive of August 30. Perhaps he did not bring out as clearly as might well be done the language of the preliminary paragraph of that directive which reads as follows:

"The Governments of France, the United Kingdom, the United States and the USSR have decided that subject to agreement being reached among the four military governors in Berlin for their practical implementation the following steps shall be taken simultaneously."

The directive was thus a decision to proceed to two simultaneous steps on the basis of an agreement to be reached by the Military Governors. That agreement was never reached. It was never reached for reasons which have been amply explained to the Security Council by the Representatives of France, the United Kingdom, and by myself, and the record has been made fully available to the Security Council.

But, Mr. President, the question of the directive is not the issue which is before the Security Council. Since that point has again been raised, I feel it is incumbent upon me to refer again to the communication of the three Governments submitting this issue to the Security Council and to quote again two sentences from that communication of September 29. The communication says:

"The issue between the Soviet Government and the Western Occupying Powers is, therefore, not that of technical difficulties of communications nor that . . . of currency for Berlin. The issue is that the Soviet Government has clearly shown by its actions that it is attempting by illegal and coercive measures in disregard of its obligations to secure political objectives to which it is not entitled and which it could not achieve by peaceful means."

The three Governments lay before the Security Council the threat to peace which was created

by the blockade measures imposed by the Soviet Union.

The argument which we have just heard by the distinguished Representative of the Soviet Union is an admission that blockade measures which his Government has imposed are being used as a measure of duress.

I listened in vain as he was speaking to any suggestions in his remarks that he, too, like the Representatives of the three Western Governments was approaching this draft resolution in a spirit of accommodation, in an endeavor to settle the problem of Berlin. On the contrary, Mr. President, he flat-footedly asserted that they would continue the threat of their blockade measures until the Soviet mark was established as the sole currency, not by free agreement, but under Soviet dictation.

Mr. President, the main issues which are before the Security Council have been made very clear in the proceedings we have had. The resolution has been laid before us, which was eminently fair in the effort of six governments which led to its formulation. It seems to me, Mr. President, that we must now ask, "What does the Soviet Union want?"

Does it want a meeting of the Council of Foreign Ministers to discuss Berlin or the unification of Germany, which always has been and still is the aim of the three Western Governments, or to discuss questions of Germany as a whole? The Soviet Government can have such a meeting without the threat to peace. We told them that before. We repeat that promise. We have indicated our acceptance of that principle in our approval of the draft resolution which was before us.

Does the Soviet Union want the Soviet zone mark to be established as the sole currency of Berlin under Four Power control, as Premier Stalin himself suggested? They can have that without maintaining the blockade. We have told them so before and we tell them so again.

Does the Soviet Union want assurances that we do not want to use Four Power control of the currency in Berlin to damage or to control the general economy of the Soviet zone outside of Berlin? They can have such assurances without threat or violence. We have made that clear already. We make it clear again.

Does the Soviet Union want guaranties to prevent the use of transport facilities for black-market operations in currency in Berlin? They can have such guaranties without resorting to duress. Again, it is a matter which we have told them before we would do, and we are ready to say so again.

If the Soviet Government will remove all restrictions imposed on transportation, communications, and commerce subsequent to March 30, 1948,

² BULLETIN of Oct. 24, 1948, p. 520. See also U. N. doc. S/1048, Oct. 22, 1948.

between the Western zones and Berlin, the United States Government will undertake to provide safeguards for the Western mark B and the Eastern mark of the Soviet zone as presented by the United States Representative during the course of the Berlin discussions.

Mr. President, as I understood the distinguished Representative of the Soviet Union in his remarks a few moments ago, he argued that blockade measures which have been imposed by the Soviet Union were imposed to protect the economy of the Soviet zone against the Western mark. However, Mr. President, as I have had occasion to point out to the Council before, these blockade measures began in January, reached their fullness in March and the Western mark was not introduced until June 24. I think it necessary to point out again that the matter of restrictions on traffic has nothing to do with the question of safeguards to prevent the movement of currency. Removal of blockade restrictions imposed upon land communications, land and water communications by the Soviet Union would restore the normal traffic channels of supply and transport which are now confined to the air lift. In effect this would merely substitute the normal ground means of transport for present air transport.

The United States has never intended to use currency as a means of adversely affecting the economy of the Soviet zone. The objective of currency reform is to improve economic life and not to destroy it.

Mr. President, if on the other hand the Soviet Union wants to drive us out of Berlin, where we have an acknowledged right to be, that result they cannot get by maintaining their threat to peace. We have stated that position over and over again, and that simple fact should now be clear. If the Soviet Union wants us to work out technical details of the first four questions I put, under duress of maintenance of blockade measures, instead of through the process of free negotiation, again the answer to that question is "No." In short, Mr. President, the Soviet Government can get all it says that it wants without maintaining the blockade. With the blockade it can get neither what it says it wants nor what its actions seem to suggest it actually does want. It is the blockade which is the barrier and it is the Soviet Union which can lift the blockade.

Mr. President, even now in spite of the fact that the Soviet Union has seen fit to indicate that it intends to block the efforts of the Security Council of the United Nations, if it wishes to end the threat to peace which it created, the Berlin question can be settled on the basis of the program suggested in the draft resolution which is now before the Security Council. The three Western Governments have indicated their acceptance of the principles contained in that resolution. If the Government of the Soviet Union would give reciprocal assurances that that program suggested in that resolution would be carried out, it can be done.

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¹ Printed materials may be secured in the United States from the International Documents Service, Columbia University Press, 2960 Broadway, New York City. Other materials (mimeographed or processed documents) may be consulted at certain designated libraries in the United States.

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Cablegram Dated 12 September 1948 from the United Nations Mediator Addressed to the Secretary-General. S/999, September 13, 1948. 2 pp. mimeo.

Cablegram Dated 27 September 1948 from Ralph Bunche to the Secretary-General Transmitting Report Regarding the Assassination of the United Nations Mediator. S/1018, September 28, 1948. 6 pp. mimeo.

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The United States in the United Nations

Palestine: Security Council orders Negev withdrawal

The Security Council adopted on November 4 an amended British-Chinese resolution calling for withdrawal of Israeli and Egyptian forces from any positions gained in the Negev since October 14, when recent hostilities in that area of Palestine began.

The resolution was approved by a nine-to-one vote, with the Soviet Union abstaining, after revisions embodied in a U.S. amendment were accepted. The Ukraine cast the opposing vote.

The U.S. amendment eliminated from the original resolution specific mention of article 41 of the U.N. Charter, under which noncompliance could be met by economic sanctions. The amended resolution instead provides that in the event of noncompliance a seven-nation council committee will study the situation "as a matter of urgency" and report to the council "on further measures it could be appropriate to take under Chapter VII of the Charter."

Chapter VII includes article 41 and other enforcement provisions but the resolution, as now worded, does not specify what measures would be considered in the event of the noncompliance. The original British-Chinese resolution specified measures under article 41—the economic sanctions section.

Israeli Representative Aubrey Eban objected to both the original and the amended version, claiming that the Negev, awarded to Israel under the partition resolution adopted by the Assembly last year, is an integral part of Israel.

The advances in the Negev fighting have been Israeli advances and the called for withdrawal would be from positions taken from Egyptian forces.

Jacob Malik, Soviet Delegate, called for direct negotiations between Israeli and Egyptian Representatives. Representative Eban said this was acceptable. Egypt, however, supported the adopted resolution with the comment that it could be stronger and again asserted that it could not recognize the Jews as a negotiating party.

In presenting the U.S. amendment, Philip Jessup pointed out that the council's main task is to keep the peace in Palestine and not to lay down a settlement and that positions taken by the council members on the truce question do not prejudice positions they may take in the Assembly on the political settlement problem.

The U.S. amendment specifies that the Negev withdrawal is being called for without prejudice to the rights, claim, or position of the two parties "or to the position which the members of the United Nations may wish to take in the General Assembly" on political settlement.

Mr. Jessup, in stressing the truce aspect, said that the truce must be maintained "until arrange-

ments can be made to replace the truce by a more permanent peaceful settlement".

He characterized council action to maintain the truce as "a necessary prerequisite to General Assembly consideration" which "does not prejudice the result of such consideration in any way".

The resolution calls for establishment of truce lines in the Negev by Israeli and Egyptian Representatives. Failing establishment of these lines by the two parties, "permanent lines and neutral zones shall be established by decision of the acting mediator".

Refugee Aid. The 26-nation Executive Board of the International Children's Emergency Fund has allocated \$6,000,000 for supplementary relief of 250,000 child and mother refugees from combat areas in Palestine. The Program Committee had recently recommended that \$2,200,000 be added to the \$411,000 previously allocated for relief in that area. However, the Executive Board approved the larger figure of \$6,000,000 on November 5, after hearing a report on needs of the refugees.

Maurice Pate, UNICEF executive director, pointed out that the organization can help only children and pregnant and nursing mothers among the half-million homeless Palestinians. The need for basic relief, such as the \$30,000,000 program suggested by acting mediator Ralph Bunche, he pointed out, remains unchanged.

A summary of UNICEF activities to date shows that 155,625 Arab mothers and children up to 15 years old have received aid. No figures are yet available on the number of Jewish mothers and children assisted. Relief supplies are being distributed in camps in Palestine, Syria, Lebanon, and Trans-Jordan.

Meanwhile, the Assembly's Social, Humanitarian and Cultural Committee, on October 30, named a 15-member subcommittee to examine all the proposals regarding Palestine refugees that have been made so far and to work out a draft resolution.

Subcommittee members were instructed to consult Secretary-General Lie on the question of administering a proposed Palestine refugee relief fund. The Legal Committee will be asked to give urgent consideration to the legality of the fund idea.

In the Social Committee on October 29, Mrs. Franklin D. Roosevelt introduced a joint Anglo-American resolution calling for a Palestine refugee aid program budgeted at \$29,500,000.

In presenting the resolution, Mrs. Roosevelt said, "We believe that the acting mediator's estimate of the number of persons for whom relief should be supplied and the period of time for the program both represent a sound basis for action by the General Assembly. . . ."

"It has not been determined whether the refugee movement has reached its peak nor in

what degree some of the refugees may be absorbed during the period of the program in the areas in which they have found refuge. On the basis of information available it would appear reasonable to assume that 500,000 persons will require assistance for the period of the program. The period of time proposed will carry through the next harvest. We anticipate that the program of relief will be launched as soon as funds are available and the necessary organization can be established. For this purpose December 1, 1948 represents a realistic date. . . . It will be recognized, however, that this problem requires an operation of a character different from normal United Nations activities and that it requires a different budgetary treatment. Consequently we believe that the cost of this program should not be made a part of the United Nations budget. We endorse, therefore, the proposal in the resolution submitted by the United Kingdom and the United States that the General Assembly urge all Members of the United Nations to make as soon as possible voluntary contributions in kind or in funds sufficient to ensure that the amount of supplies and funds required are obtained."

Every effort should be made to use all available volunteer international and local organizations, Mrs. Roosevelt stated, and recommended that "the International Committee of the Red Cross, the League of Red Cross Societies, and the International Children's Emergency Fund can be particularly helpful because they can readily bring into service the experienced disaster and relief personnel known to them."

Korea: Commission's Report

The continued concern of the General Assembly for the attainment of national independence and unity in Korea is called for in the report of the Korean Commission, made public on October 30.

The commission's report to the Assembly noted with regret "the grim reality of a divided Korea," with a government in the south set up as a result of U.N.-observed elections in May and another in the north set up "arbitrarily by steps which were not under international observation". The northern zone has been under Soviet occupation and the south occupied by the United States.

In its report, the commission stressed the urgent need for establishing procedures for peaceful negotiation between the two regimes in Korea, adding that this "must take place before military evacuation of the occupying forces abandons Korea to the arbitrary rule of rival political regimes whose military forces might find themselves driven to internecine warfare."

The Soviets have unilaterally announced the beginning of withdrawal of their troops, leaving their zone in the hands of a Communist-dominated regime. The United States is turning over admin-

istration of its zone to the newly elected government at Seoul.

The report stressed that the commission, following the will of the Assembly, has always concerned itself with Korea as a whole. But this has been thwarted, the report said, by the refusal of Soviet authorities to allow the commission to visit the Soviet zone or conduct U.N.-observed elections there—in contrast to the cooperation given by U.S. authorities in the south.

Immediate unification of Korea is essential if that country's social, political, and economic well-being is to be served, the commission held. Efforts of Korean leaders to achieve this end have failed largely because of "the tension prevailing in the international situation", the commission found.

Atomic Energy: Resolution Adopted

The General Assembly on November 4 overwhelmingly voted its approval of the atomic control plan developed over the past two years by the Atomic Energy Commission.

The vote, on the revised Canadian resolution previously approved in committee, was 40 to six, Soviet group opposing. The Soviet proposal was defeated by the same vote.

Spain: Economic Statistics

The Legal Committee of the General Assembly on November 2 voted 21 to 14 to delete a portion of a resolution under debate which would specifically bar Spain from an international convention on economic statistics.

Radio Plan Approved

The Assembly Administrative Committee on October 30 adopted a resolution calling on the Assembly to approve in principle the establishment of a U.N. telecommunications system.

The resolution was submitted jointly by the United States, the Soviet Union, and France.

If the resolution is approved at a later Assembly plenary session, it will permit the United Nations to seek shortwave broadcasting frequencies at the current telecommunications conference being held at Mexico City.

At present, the United Nations depends on the generosity of U.S. and Canadian shortwave systems for its transmission time.

Greece: Third Interim Report

In a third Interim Report which was approved unanimously on October 22, the Special Committee on the Balkans said that facts which have come to its notice during this period confirm and strengthen the conclusions of its General and Supplementary reports.¹

This is UNSCOP's third Interim Report, the previous two having been sent to the General Assembly on December 31, 1947, and January 10, 1948, at the time of a large-scale guerrilla attack against Konitsa in Epirus.

¹ *Documents and State Papers*, September 1948.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

Calendar of Meetings¹

Held during October		1948
International Telecommunication Union): Meeting of Administrative Council.	Geneva	Sept. 1-Oct. 5
(International Civil Aviation Organization): Fourth Session of Council	Montreal	Sept. 7-
Expert Committee	Lisbon	Sept. 24-Oct. 1
International Bank for Reconstruction and Development: Third Annual Meeting of the Board of Governors.	Washington	Sept. 27-Oct. 1
International Monetary Fund: Third Annual Meeting of the Board of Governors.	Washington	Sept. 27-Oct. 1
International Labor Organization): Technical Tripartite Conference on Safety in Factories.	Geneva	Sept. 27-Oct. 16
Interco (United Nations Educational, Scientific and Cultural Organization):		
Conference to Constitute an International Union for the Protection of Nature.	Fontainebleau, France	Sept. 30-Oct. 7
Special Tensions Conference	Paris	Oct. 8-
(World Health Organization):		
Expert Committee on Tuberculosis	Paris	Sept. 30-
Expert Committee on Venereal Disease	Paris	Oct. 15-19
Expert Committee on Pharmacopoeias	Geneva	Oct. 15-21
American Sanitary Organization:		
Meeting of Executive Committee	Mexico City	Oct. 2-3
Meeting of Directing Council	Mexico City	Oct. 4-16
International Wool Study Group: Second Meeting	London	Oct. 4-6
International Council for Exploration of the Sea	Copenhagen	Oct. 4-11
(Universal Postal Union): Meeting of the Executive and Liaison Committee.	Locarno and Bern	Oct. 11-21
Inter-Pan American Consultation on Cartography	Buenos Aires	Oct. 12-
General Conference on Weights and Measures	Paris and Sèvres	Oct. 12-21
Inter-American Congress of Surgery	La Paz	Oct. 17-21
Second Meeting of South Pacific Commission	Sydney	Oct. 25-
International Tin Study Group: Third Meeting	The Hague	Oct. 25-
Session as of November 1, 1948		1948
United Nations: General Assembly: Third Session	Paris	Sept. 21-
International Telecommunication Union):		
Provisional Frequency Board	Geneva	Jan. 15-
Planning Committee for High Frequency Broadcasting Conference	Mexico City	Sept. 13-
International Conference on High Frequency Broadcasting	Mexico City	Oct. 22-
Asian International Fair	La Paz	Oct. 20-
Industrial Committee on Textiles: Second Session	Geneva	Oct. 26-
Second Session of Executive Board	Geneva	Oct. 25-
Scheduled for November 1948		
(General Agreement on Tariffs and Trade): Meeting of Committee on Special Exchange Arrangements.	London	Nov. 1-
(Food and Agriculture Organization):		
Fourth Session of Council	Washington	Nov. 8-13
Fourth Session of Annual Conference	Washington	Nov. 15-
International Labor Organization):		
Industrial Committee on Petroleum: Second Session	Geneva	Nov. 9-
Comparatory Conference on Labor Inspection in the Asian Countries	Kandy, Ceylon	Nov. 15-
Int Maritime Commission	Geneva	Nov. 26-
Governing Body: 107th Session	Geneva	Nov. 29-
International Meteorological Organization): Meeting of Regional Commission for Asia.	New Delhi	Nov. 15-
Inter-Parliamentary Association	Hamilton, Bermuda	Nov. 15-
Indian Conference: Third Session	Guadeloupe	Nov. 15-
(World Health Organization): Expert Committee on International Epidemic Control.	Geneva	Nov. 15-
Second Inter-American Congress on Brucellosis	Mendoza, Argentina	Nov. 17-
Interco: General Conference: Third Session	Beirut	Nov. 17-
(International Civil Aviation Organization): Southeast Asia Regional Air Navigation Meeting.	New Delhi	Nov. 23-
United Nations: Economic Commission for Asia and the Far East: Fourth Session.	Glenbrook, Australia	Nov. 29-

¹Prepared in the Division of International Conferences, Department of State.

November 7, 1948

THE RECORD OF THE WEEK

Sound International Trade Program Its Meaning for American Business

by Paul H. Nitze¹

Deputy to the Assistant Secretary for Economic Affairs

At the end of World War II, we were confronted with a world economy even more seriously out of joint than most of us then realized. Six years of struggle had depleted the resources, both financial and material, of a large segment of mankind. The apparatus of many countries for the production and distribution of goods was in a shambles. In others it had been seriously distorted to meet the specialized needs of war. Critical economic dislocations had given rise in many countries to strict governmental controls over all important economic activities. Moreover, important changes in the attitudes of individuals and governments towards the problems of trade and economic organization in general had taken place. The growing economic and political strength of organized labor and agriculture had brought about a situation in which wage and price adjustments to changing economic conditions were difficult to make. There had been a growth of social consciousness and wider claims upon governments for the welfare of their people, the avoidance of unemployment, and the provision of social security.

The combination of these and other factors had led to an increase of economic planning and nationalization of industry in the domestic field and of state trading in the field of international trade. These influences in the main lead away from the determination of trade channels on the basis of market considerations and away from the correction of trade imbalances by internal deflation and price-level adjustments, as was characteristic of the nineteenth century systems of trade. For the private trader and his government, they have created new problems of increasing importance which have to be reckoned with.

So powerful are these factors in today's trading world, that they have affected even the United States, where private competitive enterprise flourishes to a greater extent than anywhere else in the world. Even we have felt the need to control exports, support many farm prices, engage in government purchasing of certain foodstuffs and raw materials, and limit the use of scarce materials.

¹Address made before the Twentieth Conference on Distribution, in Boston, Oct. 25, 1948, and released to the press on the same date.

Segments of the American people exert strong pressures for limitation of imports, for payment of subsidies, or for other governmental measures when the operation of the competitive price mechanism threatens to become painful.

Since the end of the war, and particularly in the last year, the world has made steady progress in overcoming some of the most acute material shortages and in correcting some of the most serious trade imbalances. There is still, however, a long and difficult road ahead.

EXPANSION OF WORLD TRADE

It is in this setting of the world as it is and the actual problems that confront us that we must consider what constitutes a sound international trade program.

In the nineteenth century, common principles of international trade were tacitly understood and accepted by all countries. Today, however, with the emergence of new forces and new problems, a specific international agreement is necessary.

I think that businessmen will agree that at least four basic conditions are necessary for a sound expansion of world trade: stability; good market; fair rules of trade; and procedures for settling trade disputes.

Let us see whether and to what extent our international trade program contributes to these objectives.

Stability

Stable conditions of international trade obviously cannot be achieved easily or overnight. The uncertainties of disturbed economic conditions today are enhanced by overshadowing political uncertainties. But there are positive steps which can be taken towards this end.

First, there can be judicious assistance to the building up of the damaged productive resources and economic machinery of other friendly countries. Second, there can be international agreement on the objectives and principles which would like to see govern international trade. Third, there can be international action for the moderation of exchange fluctuation.

The United States had led in working for

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ration of much-needed stability in international trade by being one of the chief architects of United Nations and its specialized agencies, particularly the International Monetary Fund and proposed International Trade Organization, by undertaking the European Recovery Program. Through these measures we have sought, international agreement, to achieve settlement of political problems, to give a common direction to decisions on trade policy, to moderate exchange fluctuations, and to assist in the restoration of the economies of the Western European democracies. All of these measures help to bring more stability into the conditions of international trade.

Markets

Good markets are basic to sound trade. To be good markets, they must be accessible and they must be able to pay for the goods they receive. Goods can be disposed of by gift or barter deals, but neither provides what we would consider a good market.

Through the European Recovery Program, European countries are being helped to restore production and hence their capacity as sound markets for each other, for us, and for the rest of the world.

Plans have been made to other countries through the Export-Import Bank for the expansion of necessary facilities which will assist in their economic development. The International Bank for Reconstruction and Development has been established for the same purpose.

At the beginning has been made in reaching agreement upon principles designed to promote the flow of private capital and technical skills into areas which can use them to foster their production and development, and hence their emergence as good markets as well as good suppliers. This has been done at Bogotá in the economic development of Bogotá, and at Habana in the Charter for an International Trade Organization.

The reduction of artificial trade barriers also helps to make good markets. At Geneva last year, nations negotiated for selective reduction of tariffs, not only with the United States but with each other. The result was the General Agreement on Tariffs and Trade, in which 23 countries reduced tariff rates on some products and bound rates against increase on other products for about 45,000 individual items covering one half of the total foreign trade of the world.

These are major steps toward the sound development of good markets.

We have been asked whether the United States, with only one vote, will not be outnumbered in the many smaller countries and forced to do all kinds of things that it does not like. I do not think we need to be afraid. Such a thing has not yet happened in any international agency

with which we work. Such a fear leaves out of account the strategic position of leadership that the United States enjoys in the world. As a matter of fact, many smaller countries are concerned that the United States and other large countries will dominate them, regardless of the one vote for each, simply because, in the nature of the case, the larger countries cannot help having more influence in world affairs.

The truth is that there are always those who fear that their country will be outnumbered by other countries in any kind of an international organization. If reason did not overcome this narrow fear, there would never be organized international cooperation between sovereign countries. I am not such a fatalist. I believe that sovereign nations can work together. I do not think that pessimistic resignation pays dividends either in business or in national success. American life is built upon a different foundation—faith in our destiny, courage in the future.

Fair Rules of Trade

I said at the outset that one of the elements that a businessman wants to see included in a sound trade program is fair rules of trade. This is what the Charter for an International Trade Organization, agreed upon by representatives of 53 nations at Habana in March 1948, seeks to provide.

As World War II drew to a close, many people in the United States, the British Empire, and other countries felt that the absence of fair rules of trade in the decades after the first World War had contributed significantly to the economic warfare that "dried up" world trade in the 1930's. Then, each country traded on the basis of the law of the jungle, and the devil took the hindmost. As one European statesman put it:

"We competed with one another in devices to restrict the volume of world trade and then fiercely competed with one another for a greater share of that smaller total."

With this in mind, we in the Government began to work, even while hostilities were still going on, to lay the basis for the establishment of fair rules of conduct over the widest possible area of trade. One of the first acts of the Economic and Social Council of the United Nations was to appoint a Preparatory Committee of 18 nations to prepare an agenda for a World Conference on Trade and Employment, which was finally held at Habana from November 1947 to March 1948. Representatives of 53 nations there agreed upon the text of a Charter for an International Trade Organization for submission to their respective legislatures. It is expected that this Charter will be submitted to our Congress in the next session.

The Charter establishes a code of rules that countries voluntarily agree to follow with respect to their trade with each other. These rules cover a

wide range of international trade relationships: Tariffs, quotas, subsidies, foreign exchange, customs formalities, cartels, commodity agreements, most-favored-nation treatment, and the international aspects of foreign investment, employment, and economic development. Most of them represent commitments by governments to refrain from taking specified governmental actions affecting trade which they would otherwise be at full liberty to take.

I won't try to describe these rules in detail, but I do feel that it would be useful to state in general terms what they seek to do. They have two aspects. They state the agreed general principle and they indicate how, or to what extent, it must be applied. Let me illustrate.

Certain important rules can, and therefore would, come into immediate and full operation when the Charter enters into force. Rules of this kind are those requiring simplification of customs formalities, the curbing of international cartels, and many more.

The problem is, however, more complicated with respect to others. For example, one of the important rules is that nations undertake to negotiate for the reduction of tariffs. But, clearly, no nation will undertake in advance to reduce all its tariffs or even any particular tariff. Therefore, the Charter provides that negotiations shall be on a selective, product-by-product basis, which will afford adequate opportunity to consider the needs of individual industries and that members shall be free not to grant concessions on particular products. It also provides an "escape" clause under which if, as a result of a reduction and of unforeseen circumstances, imports increase so as to threaten serious injury to a domestic industry, the reduction may be withdrawn.

Another important principle is that nations will not use quotas to restrict their trade or to discriminate against the trade of a particular country. But, clearly, under present conditions very few countries can apply this rule completely, no matter how much they may desire to do so. They just don't have enough foreign exchange to pay for all the imports their people want. Therefore, they must keep their imports down to the amount they can pay for and concentrate on the ones they really need, just as an individual of limited means does in preparing his family budget. So the Charter permits the use of quotas to accomplish this necessary budgeting only as long as a real shortage of foreign exchange lasts.

Thus, in situations where the agreed principle cannot be fully put into effect, members are not asked to do the impossible. They are, however, obliged to comply to the fullest extent, and at the earliest moment that they can, and they may be called to account by other members or by the Organization if they fail to do so. The conditions

under which failure to comply fully with the rules can be justified are very specifically defined.

I give these illustrations because concern has been voiced in some quarters that exceptions in the Charter will have the effect of vitiating the Charter which it lays down. Quite the contrary. The existence of the exceptions is what makes it possible for many nations to accept the rules and putting them into effect, at least partially, pending the time when they can do so fully.

Procedures for Settling Trade Disputes

The Iro would provide a permanent mechanism for the orderly settlement of international economic disputes. This permanent feature is important. We learned from the experience of the World Economic Conference, in 1927, and the London Monetary and Economic Conference, in 1933, that intermittent international conferences, accompanied by broad declarations of principle (some people now propose), are not an effective means of resolving world economic problems avoiding depressions, or averting economic warfare. A permanent international agency, operating on the basis of specific commitments, is a far more effective instrument for these purposes.

An international body to handle trade must have flexibility if it is to handle satisfactorily changing world conditions. Therefore, the Charter, like the United States Constitution, has a procedure for amendment and provides for a comprehensive review of its provisions within five years.

Each member of the Iro would have one vote and decisions would, in the main, be by majority vote. The Organization could not force any country into any act against its desire. But if a member violated a commitment accepted under the Charter, the Organization could authorize other members to withdraw from the offender the privileges that all members grant to each other under the Charter. The right to withhold privileges from offenders, together with the persuasion exercised in the Iro forum, plus the force of public opinion, would constitute the sanctions of the Iro.

FUTURE COURSE

I have given particular emphasis to the Iro in this discussion of a sound international trade program, first, because it is new and less well known than the other facets of our international trade policy, and second, because of the very special potentialities which it has today for the business men of the United States. As I have indicated, the private-enterprise system in which we believe is now called upon to operate in a very different and less congenial world than that which existed before World War I or even between the two world wars. New and powerful forces are at work which tend to make it more and more difficult for the private trader to do his business abroad. These forces

a result of economic adversity, or new philosophy, or both. This Government has the responsibility of working out with other governments on principles which will give the maximum opportunity for the private trader to conduct his business and exercise his ingenuity and initiative.

We do not guarantee that the measures taken proposed will cure the deep-seated ills of the trading systems overnight. And we do not take that they will restore international trade completely to private enterprise. The measures which have taken place in the world are steps for that. But we are convinced that these measures are positive steps which will help to cure those ills, help to eliminate the necessity for continued assistance to other countries by the United States, and help to create the conditions in which private enterprise can have its best chance.

Let us assume for the moment that we go forward without the ITO. What would be likely to happen?

We have pointed out that governments are in the international trade picture more than ever before; they have at their disposal new, highly effective and ingenious techniques for the control of trade; and that the circumstances in which their activities find themselves create powerful demands for the use of these techniques in the narrow and exclusive national interest. The Charter, basically, imposes limitations upon the use of those techniques, confining it to cases which all have agreed to legitimate. If the rules of the ITO are not adopted, countries will be free to use these techniques, not only in the cases permitted by the Charter, but in all other cases as well.

Let me be specific: If the rules of the ITO are not adopted, countries will be free to use quotas as they like to limit or change the course of their trade not only for reasons of exchange balance, but also for pure protection and political considerations. They will be free to give new preferences to their tariffs. They will have no obligation whatsoever to negotiate for the reduction of their tariffs or for the elimination of their present preferences. They will be free to maintain and intensify confused, complicated, arbitrary, secret, obstructive customs regulations. They will have no obligation whatever to do anything about the restrictive practices of international cartels. They will be free to take any form of arbitrary action they desire with respect to the treatment of foreign capital within their borders. They will be free to conduct state trade enterprises in wholly uncontrolled competition with private enterprise.

Where does the private trader stand in such a situation? And where does his government stand when he comes to it and asks it to protest on his

behalf against the arbitrary action of some other government that injures his business? We can say to the other government that we don't like what it is doing and that its action hurts our citizens. And this often produces results. But we have worked to develop the ITO because we want to be able to say to that other government that we are protesting what it has done, not only because it hurts our citizens, but also because it violates an obligation which it has assumed not only to us but to other countries as well. And we want to be able, if necessary, to call that government to account before those other countries and before the public opinion of the world. This will immeasurably strengthen our hand in serving your legitimate interests.

CONCLUSION

Finally, we cannot get away from the fact that in today's world political and economic considerations are inextricably interrelated. Political uncertainties make for disturbed economic conditions. It is brought home to every one of you each morning as you read your daily paper that one of the basic factors retarding the world's recovery has been the strength and aggressiveness of international Communism. The economic and political difficulties which have existed since the war have been exploited to the full by the Soviet Union and its agents abroad.

Every one of the measures which I have described, the International Bank, the International Monetary Fund, the General Agreement on Tariffs and Trade, the International Trade Organization, has been open to the Soviet Union. It has been invited to join in these cooperative efforts to restore world production and world trade. It has consistently refused to do so. It has opposed these efforts. It has inveighed against them in its press, and over the air, and in the United Nations. The ITO, for example, which we regard as a means of promoting and stabilizing trade by the common effort of all friendly nations on equal terms and for the benefit of all, has been called by the Soviets an organization to "contribute to the domination of the U. S. A. in world markets", part of "the drive of American imperialism toward world domination". We are charged with "seeking to open world markets and sources of raw materials to the further penetration of American monopolies", and through the Marshall Plan and the ITO "to enslave not only Europe, but the whole world". *Foreign Trade*, the monthly magazine of the Soviet Ministry of Foreign Trade, said:

"One of the means of establishing world domination is the foreign trade program of American imperialism. This program has found its final expression in the American proposals for the creation of an International Trade Organization.

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The objective of these proposals lies in the creation of a new trade organization of the type which will make possible the strengthening of the economic position of the U. S. A. in the capitalist world."

Why this spate of abuse of Iro? Why do the Russians use every means at their command to sabotage the European Recovery Program? Because they fear and fight any measure which will

have the effect of strengthening and unifying the non-Communist world. They fear and fight the program I have described because to the extent that it helps to establish stability and sound markets and fair rules of trade, as it will, so do they also help to strengthen and unify the non-Communist world to stand against the menace of alien ideology and to prove by the acid test of accomplishment that the way of the free nation is the better way.

Position on Provisional Government of Israel

STATEMENT BY THE PRESIDENT

[Released to the press by the White House on October 24]

The Republican candidate for President has seen fit to release a statement with reference to Palestine. This statement is in the form of a letter dated October 22, 1948, ten days before the election.

I had hoped our foreign affairs could continue to be handled on a nonpartisan basis without being injected into the presidential campaign. The Republican candidate's statement, however, makes it necessary for me to reiterate my own position with respect to Palestine.

I stand squarely on the provisions covering Israel in the Democratic Platform.

I approved the provisions on Israel at the time they were written. I reaffirm that approval now.

So that everyone may be familiar with my position, I set out here the Democratic Platform on Israel:

President Truman, by granting immediate recognition to Israel, led the world in extending friendship and welcome to a people who have long sought and justly deserve freedom and independence.

We pledge full recognition to the State of Israel. We affirm our pride that the United States, under the leadership of President Truman, played a leading role in the adoption of the resolution of November 29, 1947, by the United Nations General Assembly for the creation of a Jewish state.

We approve the claims of the State of Israel to the boundaries set forth in the United Nations' resolution of November 29 and consider that modifications thereof should be made only if fully acceptable to the State of Israel.

We look forward to the admission of the State of Israel to the United Nations and its full participation in the international community of nations. We pledge appropriate aid to the State of Israel in developing its economy and resources.

We favor the revision of the arms embargo to accord to the State of Israel the right of self-defense. We pledge ourselves to work for the modification of any resolution of the United Nations to the extent that it may prevent any such revision.

We continue to support, within the framework of the United Nations, the internationalization of Jerusalem and the protection of the holy places in Palestine.

I wish to amplify the three portions of the platform about which there have been considerable discussion.

On May 14, 1948, this country recognized the existence of the independent State of Israel. It was informed by the Honorable Eliahu Epstein that a Provisional Government had been established in Israel. This country recognized the Provisional Government as the *de facto* authority of the new State of Israel. When a permanent government is elected in Israel it will promptly be given *de jure* recognition.

The Democratic Platform states that we will prove the claims of Israel to the boundaries set forth in the United Nations' resolution of November 29, 1947, and consider that modifications thereof should be made only if fully acceptable to the State of Israel.

This has been and is now my position.

Proceedings are now taking place in the United Nations looking toward an amicable settlement of the conflicting positions of the parties in Palestine. In the interests of peace this work must be carried forward.

A plan has been submitted which provides a basis for a renewed effort to bring about a peaceful adjustment of differences. It is hoped that by using this plan as a basis of negotiation, the conflicting claims of the parties can be settled.

With reference to the granting of a loan to the State of Israel, I have directed the departments and agencies of the Executive Branch of our Government to work together in expediting the consideration of any applications for loans which may be submitted by the State of Israel.

It is my hope that such financial aid will be granted and that it will contribute substantially to the long-term development and stability of the Near East.

Brussels Proposals Not Received by United States

Acting Secretary Lovett told his press conference on October 27, that if and when the signatories to the Brussels pact submit North Atlantic security proposals to the United States, such proposals would be considered in the light of the Vandenberg resolution adopted by the United States Senate last June.

Mr. Lovett pointed out, however, that such a request had not been received here, but that if and when it was received, it would be considered in accordance with the guiding principles of the Vandenberg resolution.

That resolution placed the Senate on record as favoring "progressive development of regional and other collective arrangements for individual and collective self-defense in accordance with the purposes, principles, and provisions of the Charter" and "association of the United States, by constitutional process, with such regional and other collective arrangements as are based on continuous and effective self-help and mutual aid, and as affect its national security."

It was in accordance with this resolution, Mr. Lovett recalled, that exploratory talks were initiated in Washington July 6, between representatives of the Brussels pact countries and the Department of State.¹

When the conversations were opened, the Department of State described them as "concerning problems of common interest" in relation to the Vandenberg resolution. It was pointed out at that time that no information concerning the substance of these exploratory talks would be made public before decisions were reached.

These exploratory talks have been completed, Secretary Lovett announced, and since they were informal, no commitments were involved.

The spadework represented by these conversations, he added, would facilitate further negotiations when they are opened. Congressional leaders of both major United States political parties were kept informed during the conversations, Mr. Lovett said.

He noted that the Washington conversations covered a wide variety of subjects, including a whole era of pacts, and mostly the methods by which United States security and world peace could best be obtained. The Acting Secretary said he did not know who originated the idea of a North Atlantic pact, but that the idea of a North Atlantic community of nations was an old one.

Further comment, Mr. Lovett told the reporters, would have to await receipt by the United States of proposals from the Brussels pact countries.

The following is the telegraphic text of the communiqué issued by the five Foreign Ministers at the conclusion of their meeting on October 27:

The Foreign Ministers of the Five Signatory Powers of the Brussels treaty met in Paris on the 25th and 26th of October, 1948, for the third regular session of the Consultative Council.

After examining the decisions taken by the five Defence Ministers at their meeting on 27-28 September 1948, including the setting up of the land, sea and air command organization of Western Union, the Council gave its approval to the principles governing the defence policy of the Five Powers which are based on the Brussels treaty and on the Charter of the United Nations.

The Council also made a preliminary study of the question of North Atlantic security and the conversations on this subject which took place in Washington during the summer.

This examination resulted in complete agreement in the Council on the principle of a defensive pact for the North Atlantic and on the next steps to be taken in this direction.

The Council approved the suggestions made by the five Finance Ministers on the 7 October 1948. In order to carry out these suggestions as rapidly as possible the Council decided to set up a Committee of Experts to study the financial and economic questions raised by the organization of the defence of Western Europe.

The Council next took note of the progress accomplished in the social and cultural fields, and approved the reports submitted to it.

As regards the question of European unity, the Council decided to set up a committee of representatives chosen by the governments of the five signatory powers of the treaty of Brussels, consisting of five French, five United Kingdom, three Belgian, three Netherlands, and two Luxembourg members.

The object of this committee, which will meet in Paris, will be to consider and to report to governments on the steps to be taken toward securing a greater measure of unity between European countries.

To this end, the committee will take into consideration all suggestions which have been or may be put forward by governments or by private organizations. In this connection it will examine the Franco-Belgian suggestion for the convening of a European Assembly and the British suggestion relating to the establishment of a European Council appointed by and responsible to governments for the purpose of dealing with matters of common concern. This committee will draw up a report for submission to the Consultative Council at its next meeting.

Finally, the Foreign Ministers proceeded to a full exchange of views on various international problems, certain of which are now being considered in the United Nations Assembly and the Security Council.

¹ BULLETIN of July 18, 1948, p. 79.

Reparations Program in Western Zones of Germany

THREE POWER STATEMENT¹

Since the reparations programs covering the three Western zones of Germany were published in October and November 1947,² the European Recovery Program has come into being and is now vitally affecting the progress of recovery. The Governments of France, the United Kingdom, and the United States have therefore had under consideration the desirability of insuring that the reparations programs are still fully consonant with the needs of European recovery. It has been agreed by the three Governments that there is a need to examine certain portions of the reparations lists with a view to determining to what extent some plants on those lists might better serve the needs of European recovery if left in Germany than if removed and re-erected elsewhere. Pursuant to section 115 (f) of the United States Foreign Assistance Act, a preliminary review of the lists has already been made by the United States Government and a list of plants which re-

quire more detailed study has been drawn up. The further review of these plants will be conducted by the Industrial Advisory Committee of the Economic Cooperation Administration maintaining close touch with officials of the other two Governments concerned, who will cooperate in every way. It is hoped to complete this review within a few weeks. Further plants will be made available to the Inter-Allied Reparations Agency for allocation as rapidly as possible while this investigation is in progress.

The review is being conducted from the standpoint of European economic recovery and not with the object of bringing about any general readjustment of the reparations programs. It is intended by the Three Powers that subject to whatever deletions from the reparations lists may be agreed as a result of this review the balance of the reparations programs shall be brought to a speedy conclusion.

The Struggle for Freedom in Greece

STATEMENT BY HENRY F. GRADY³

American Ambassador to Greece

Eight years ago today, the entire world was electrified by an event that has already gone down as a landmark in history.

On that day, the Greek people rose as one man and cried "No!" to the powerful invader.

It was the first real check on the aggressive might that had unleashed the second world war.

Greece has known little peace since that time. Again today she is engaged in a trying struggle against what honest men the world over recognize as the force of evil. Call it militant Pan-Slavism, call it Red Totalitarianism, call it Neo-Fascism—it is the same. It is the force of destruction, of fanaticism, of chaos.

It is more than ironic that while the Greek people—with the help of their friends—are seeking with every means to rebuild their country, to achieve the long-sought peace, to join in the great

and inspiring program of recovery which now animates the rest of free Europe, that at this very moment the enemy from within and without bends every effort toward destruction and chaos.

The world may well admire the struggle which the hard-pressed people of Greece are waging again toward their freedom, and those who think the struggle an easy one must be either naive or ignorant of the facts. We who are here, we who are on the spot helping the Greeks to retain their nation and their liberty, helping them to remain in the community of free nations, do not underestimate these difficulties, these tremendous obstacles. We are sure that they will be overcome—and overcome by the Greeks themselves.

On this great day, I would like to make but one salute—to the Greeks who are waging this great struggle; chiefly, of course, to those in actual combat against their enemy, but also to all elements in Greek life which are contributing to this great national effort.

For again the Greeks are saying "No!" Again they have made the hard choice. Again they have chosen freedom.

¹ Issued by the Department of State and the Economic Cooperation Administration on Oct. 27, 1948, and released to the press on the same date.

² Not here printed.

³ Made in Athens on Oct. 28, 1948, and released to the press in Washington on the same date.

Twenty-Fifth Anniversary of the Republic of Turkey

Statement by the President¹

On the twenty-fifth anniversary of the founding of the Republic of Turkey, the people of the United States join me in extending cordial greetings and best wishes to President İnönü and to the people of Turkey.

The full significance of this anniversary could hardly have been foreseen a quarter of a century ago when the Turkish Republic was proclaimed. In America, we were from the beginning filled with admiration for the resolute struggle of the Turkish nation to go forward under the indomitable leadership of Turkey's first President, Kemal Atatürk. We have watched with sympathetic interest the profound social and cultural reforms effected in two brief decades. We are happy that the advancements of science in this air-travel age have so reduced the distance between our two countries that we no longer feel remotely separated. We are still happier that the decision of the Turkish nation to continue the development of democratic institutions and to further safeguard human rights and liberties is being carried out at a time when these ideals—so dear to all Americans—are being ruthlessly crushed and obliterated in many parts of the world.

The political independence and territorial integrity of Turkey are of great importance to the security of the United States and of all freedom-loving peoples. In conformity with the purposes and principles of the Charter of the United Nations, I recommended to the American Congress on March 12, 1947, the extension of assistance to Turkey and to Greece. This program, as authorized by the American Congress two and one-half months later, has since been extended for a second year—that is, through June 1949. The effective way in which Turkish and American personnel are cooperating on this program is a further, and most striking, example of the mutual ties that bind our countries.

I am deeply grateful that during this troubled postwar period the relations between the United States and the Republic of Turkey, inspired by a common ideal for the establishment of security for all nations through just and lasting peace, have been strengthened and consolidated.

Double Taxation Convention With Belgium Signed

[Released to the press October 28]

On October 28, 1948, Robert A. Lovett, Acting Secretary of State, and Baron Silvercruys, Belgian Ambassador in Washington, signed a convention between the United States and Belgium

November 7, 1948

for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income.

The provisions of the convention are similar in general to those contained in income-tax conventions now in force between the United States and the United Kingdom, Canada, France, and Sweden.

The convention provides that instruments of ratification shall be exchanged and that the convention shall become effective on January 1 of the year in which the exchange of such instruments takes place.

Steps Taken To Repatriate Mexican Workers

[Released to the press October 25]

On October 18 the Mexican Embassy presented a note to the Department calling attention to certain irregularities which had occurred in the vicinity of El Paso in connection with the entry of a large number of Mexican farm workers and their employment on farms in Texas and other western States under conditions other than those prescribed in the agricultural-workers agreement of February 21, 1948.

In a note dated October 22, the Department expressed its regret that this incident had occurred and stated that measures had been taken to correct the situation. The United States agreed to commence prompt repatriation of the Mexican workers who entered illegally, as required by article 29 of the agreement; to halt further illegal immigration of Mexican farm workers; and to continue extending to Mexican workers legally in the United States the advantages and conditions provided in the agreement.

The reply of the Mexican Embassy, dated October 23, accepts as satisfactory the American note and states that the fulfilment of the commitments set forth therein will bring the incident to a close.

Reaction in the Mexico City press to the American note, which was published in its entirety, was highly favorable.

It is understood that the Immigration and Naturalization Service has already begun to deport to Mexico the workers who entered contrary to the agreement.

*Exchange of Notes Between the U. S. and Mexico
October 22, 1948*

SIR: I refer further to your attentive note of October 18, 1948, concerning irregularities which have occurred in the vicinity of El Paso in connection with the entry of certain Mexican farm work-

¹ Recorded by the Voice of America for delivery on the occasion of the Turkish National Holiday, Oct. 29, 1948, and released to the press on the same date.

ers under conditions other than those established by the exchange of notes of February 21, 1948.

An investigation of the circumstances of this case confirms that the entry of these Mexican nationals was indeed illegal and that they were not, as required by Article 29 of the agreement, immediately deported to Mexico. I deeply regret that these irregularities have occurred.

I am happy to inform you at this time, however, that orders have been issued that the Mexican nationals who entered illegally be promptly returned to Ciudad Juárez. Repatriation of these workers has already commenced.

Orders have already been issued to stop all further illegal or clandestine immigration along the border.

Nothing which has happened, of course, will in any way affect the rights and privileges of the Mexican nationals who are now legally in the United States in fulfillment of contracts entered into under the agreement. They will continue to enjoy the immunities and prerogatives set forth in the agreement and individual work contracts and the existing satisfactory arrangements for participation of Mexican consuls in discussions of any misunderstandings which may arise will continue as in the past.

It is my sincere hope that the corrective measures which have been described above and which will be carried out to the best of my Government's ability, will be found satisfactory to your Government.

With sincere expressions of profound regret for the serious instance of non-compliance which has occurred, I take this opportunity to express my Government's appreciation for the cooperation Mexico has given in the past and which I hope will continue in the future.

I avail myself [etc.]

ROBERT A. LOVETT

WASHINGTON, D. C., October 23, 1948

MR. SECRETARY: I have the honor to acknowledge receipt of Your Excellency's note of October 22 relative to the irregularities which occurred in the vicinity of El Paso in connection with the entry into the United States of Mexican agricultural workers under conditions other than those expressed in the exchange of notes of February 21, 1948.

Upon instructions from my Government, I am pleased to inform Your Excellency that it has found satisfactory the statements made by the Department of State, as well as the measures adopted by the American authorities, measures the realization of which, already commenced, brings an end

¹ For text of the decision, see BULLETIN of Aug. 3, 1947, p. 216. For Basic Initial Post-Surrender Directive to Supreme Commander for the Allied Powers for the Occupation and Control of Japan, see *Documents and State Papers* of April 1948, p. 32.

to this lamentable incident, which has been resolved, as was to be expected, in the spirit of justice, good neighborliness and friendly cooperation which has always governed relations between Mexico and the United States.

I avail myself [etc.]

RAFAEL DE LA COLINA
Charge d'Affaires ad interim

U.S. Policy in Japan Founded on FEC Basic Policy Decision

[Released to the press October 28]

With regard to the statement by the Soviet Ambassador before the Far Eastern Commission on October 28, which was given to the press, it should be pointed out that General MacArthur, as a top United States Commander, holds conferences in Tokyo with high United States military officers from time to time and these are purely routine matters of sole concern to this Government.

With respect to the allegation that the former Japanese naval base at Yokosuka is being converted into a modern naval base, it may be stated categorically that this is not true. This base has been used from the beginning of the occupation by the United States naval forces supporting the Supreme Commander for the Allied Powers in carrying out the objectives of the occupation—which it is both necessary and proper for them to do. Accordingly, the implication that the Far Eastern Commission decision on the basic post-surrender policy for Japan is being violated is wholly without foundation.¹

American National Red Cross Extends Relief in Near East

[Released to the press October 24]

The American National Red Cross has informed the Department of State that it shares the concern expressed by the Department for the health and welfare of the victims of hostilities in the Near East. Accordingly, the Red Cross has approved an extension of its disaster relief program to help meet the present emergency in the Near East.

In addition to assistance which it has made available during recent months, the Red Cross will now send to the Near East 3,000 blankets, 150,000 yards of cotton cloth, 5,000 finished garments, 10,000 layette items, and 150,000 cakes of soap. On its part, the National Children's Fund of the American Junior Red Cross will furnish 30,000 layette items, educational supplies, and, contingent upon subsequent determination of need, food for a children's feeding program. This additional aid will increase to approximately \$700,000 the material value of assistance which has been contributed by the American Red Cross.

The American Red Cross has also announced its

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intention to furnish the services of three relief experts to help observe the distribution of American Red Cross supplies and to coordinate American Red Cross activities with those of the League of Red Cross Societies, the International Committee of the Red Cross, the United Nations, and other organizations.

It is prepared also to consider additional requests for relief supplies from its representatives after they have arrived in the Near East and have surveyed the need for further assistance from the American Red Cross.

THE DEPARTMENT

Functions of the Secretary of State in National Election

[Released to the press October 29]

The Department of State on Monday, November 1, will take the first step in the series of duties which fall to the Secretary of State in connection with the election of President and Vice President. Acting Secretary of State Robert A. Lovett will send to the Governors of the 48 States a letter outlining the procedure laid down in the law for the receipt and transmission by the Department of State to the Congress of certificates of the appointment of the electors of the several states and of the votes of the electors.

These ministerial duties are assigned to the Secretary of State, who has been the channel for communication between the Government of the United States and the governments of the several States on these Constitutional matters since the law of March 1, 1792. The duties of the Secretary of State have remained the same under various revisions of the law, which in its present form is Title 3, Chapter 1, of the United States Code, enacted as recently as June 25, 1948.

The duties of the Secretary of State in connection with the presidential election are to receive from the State authorities of those States two certificates and to transmit them to the Congress. These are:

1. Certificate of the appointment of electors of President and Vice President from the executive of each State as well as the list of all other candidates for electors, with the number of votes received by all of them. Copies of this certificate will be transmitted to the Speaker of the House of Representatives and the President *pro tempore* of the Senate.

2. Certificate of the separate vote of electors of each State for President and Vice President to be taken on December 13, with the list of the electors sent by the electors of each State. A copy of this certificate is transmitted by the Secretary of State to the President *pro tempore* of the Senate, pending the joint session of the Congress to canvass the vote on January 6, 1949.

November 7, 1948

The Secretary of State retains the original of the certificate of the ascertainment of electors and a copy of the vote of the electors as the official public record for the National Archives.

PUBLICATIONS

Department of State

For sale by the Superintendent of Documents, Government Printing Office, Washington 25, D. C. Address requests direct to the Superintendent of Documents, except in the case of free publications, which may be obtained from the Department of State.

Establishment of Diplomatic Relations With the Union of Soviet Socialist Republics. European and British Commonwealth Series 2 (new series). Reprint. Pub. 528. 22 pp. 10¢.

A literal print of the documents.

UNESCO and You. International Organization and Conference Series IV; United Nations Educational, Scientific and Cultural Organization 4. Reprint. Pub. 2904. 41 pp. 15¢.

Questions and answers on the how, what, and why of your share in UNESCO, together with a six-point program for individual action. Revised as of March 1, 1948.

The Foreign Service of the United States. Department and Foreign Service Series 1. Reprint. Pub. 2991. 81 pp. 25¢.

Educational preparation for Foreign Service Officers and entrance examinations.

Financial and Economic Relations. Treaties and Other International Acts Series 1757. Pub. 3221. 52 pp. 15¢.

Agreements and supplementary exchanges of notes between the United States and Italy—signed at Washington August 14, 1947; entered into force August 14, 1947.

Economic Cooperation With Norway Under Public Law 472—80th Congress. Treaties and Other International Acts Series 1792. Pub. 3254. 53 pp. 15¢.

Agreement between the United States and Norway—signed at Oslo July 3, 1948; entered into force July 3, 1948.

Documents & State Papers, September 1948. Vol. I. No. 6. Pub. 3284. 64 pp. 30¢ a copy; \$3, 12 issues.

A monthly periodical, supplementary to the Department of State BULLETIN, containing documents and articles pertaining to international relations and activities of the State Department and the Foreign Service.

Diplomatic List. October 1948, Pub. 3310. 195 pp. 30¢ a copy; \$3.25 a year domestic, \$4.50 a year foreign.

Monthly list of foreign diplomatic representatives in Washington, with their addresses.

World Confidence and the Reduction of Armed Forces: The American Objective. International Organization and Conference Series III, 18. Pub. 3319. 14 pp.

Remarks by Warren R. Austin, U. S. Delegate to the Third Session of the General Assembly, Paris, October 12, 1948.

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Publications of the Department, as well as legislative material in the field of international relations, are listed currently.

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ORGANIZATION OF AMERICAN STATES

by George N. Monsma

In the midst of the unsettled world conditions it is heartening to remember that there is an association of nations which has stood the test of almost two centuries of existence and today is stronger and more stable than ever before. The Organization of American States is the oldest organization of independent, sovereign nations in existence, although it has been known by various names during these years. The American Republics are a family of nations, and, as in all families, there may be some disagreements and misunderstandings from time to time, but it is all in the family, and underneath is the firm ground of family unity.

Before going further in a discussion of this subject, let us refresh our memories on the countries comprising the Pan American family of nations. Beginning with the United States and working south, we have our neighbor, Mexico, which is the only Latin American country having a common border with us. Then the Central American countries—Guatemala, El Salvador, Honduras, Nicaragua, Costa Rica, and Panama. To the east, the Caribbean countries—Cuba, Haiti, and the Dominican Republic. Moving south to the South American Continent, we have along the north and west coast Venezuela, Colombia, Ecuador, Peru, Chile. On the east are Brazil and Argentina, with Uruguay and Paraguay in between, and Bolivia in the center of the continent.

Four languages are used in these 21 republics—Portuguese in Brazil, French in Haiti, English in the United States, and Spanish in the other countries.

As the United States won its independence from England under the leadership of George Washington, so the countries of Latin America gained

their independence from European powers under such great leaders as Simón Bolívar and San Martín.

United States Policy

It was early recognized in this country that the interests of the American Republics are inexorably tied together by geographic propinquity and common ideals, such as love of freedom and democratic aspirations. The United States policy with respect to the other American Republics has developed through the years in accordance with the ebb and flow of national and international events of history. The Monroe Doctrine of 1823 has been a unilateral doctrine which says in effect that the United States would consider it dangerous to its security if European powers were to seize further territory in or impose further political control over any portions of this hemisphere. The Monroe Doctrine was a unilateral statement of United States policy rather than an inter-American pronouncement. The era of multilateral cooperative arrangements between the American Republics such as we have witnessed during the past 60 years had not yet arrived.

The basic friendship between the nations of the Americas weathered the frictions of our period of "manifest destiny", when the United States was expanded to the Pacific and when Texas and California were added to the Union. This basic friendship has survived in spite of the irritations and frictions of the early part of the present century, when the United States intervened from time to time in the affairs of the other American Republics.

The 1930's and 40's have been characterized by

an intensification and broadening of cooperation with the other American Republics, with a resultant feeling of good neighborliness and good will.

Characteristics of the Inter-American System

If there is a key word for the inter-American system, if there is a word that can summarize the attributes of the system, that word is *cooperation*—cooperation in all of our relations, political, economic, and cultural. The inter-American system possesses numerous characteristics, all of which together form the pattern of cooperation.

One of these characteristics is solidarity. Inter-American solidarity is revealed in numerous ways, but perhaps in no sphere is it more strongly evident than in the field of common defense. In 1940 at the second meeting of Ministers of Foreign Affairs, at Habana, when World War II had commenced in Europe, the American Republics agreed that an attack by a non-American state upon an American state would be considered an attack against all the American Republics and that in the event of such an attack, the American Republics would consult, to agree upon measures that should be taken. The month following Pearl Harbor, the Foreign Ministers met in Rio de Janeiro to outline cooperative measures, and the period of the war was one of unprecedented cooperative activity among the American Republics. The solidarity of the other American Republics in the matter of defense was further implemented last year by the signing of the treaty of Rio de Janeiro. In addition to enunciating the principle that an attack on one of the American states is an attack on all, the treaty provides that in case of an armed attack by any state against one of the American states within the geographic limits specified in the treaty or within the territory of an American state, the contracting parties are obligated to render immediate assistance, the nature of such assistance to be determined by each state. The contracting parties are also obligated to consult, in order to determine what collective measures will be required of all. In the case of armed attacks outside of the region defined in the treaty or outside the territory of the American Republics, and in the case of aggression or situations that endanger the peace of America anywhere in the world,

there is an obligation on the part of the contracting parties to consult for the purpose of deciding which of the collective measures specified in the Charter will be taken by all. Decisions on the specified collective measures under the treaty will be made by a vote of a two thirds majority and will be binding on all states with the one exception that no state will be required to use armed force without its consent.

The Rio treaty is a striking example of the solidarity of the American Republics. Eleven nations have already deposited their instruments of ratification, and several others are now in the process of ratifying the treaty. It is anticipated that the necessary ratifications to bring the treaty into effect (two thirds of the signatory states) will be deposited before long. The Rio treaty has been characterized by Senator Vandenberg as ". . . cheerful, encouraging and happy news in a cloudy war-weary world which is groping, amid constancy and multiple alarms, toward the hopes by which men live. It is good for us. It is good for all our neighbors. It is good for the world".¹

A second characteristic of the inter-American system is the recognition and respect for the equal sovereignty of each American nation. In inter-American assemblies each country has one vote, the small as well as the large. There is no attempt of the larger nations to lord it over the smaller ones. All members of the system are equally sovereign.

Going hand in hand with the principle of equal sovereignty is the principle of nonintervention which is a third characteristic of the inter-American system. The American Republics agreed at Montevideo in 1933 that no state has the right to intervene in the internal or external affairs of another American Republic. The United States scrupulously observes this commitment in its relations with the other American Republics. Intervention has no place in a cooperative system, such as the inter-American system.

Consultation is a fourth characteristic of the system. The American Republics subscribe to the principle that they should consult in regard to all matters of mutual concern, and they have been practicing such consultation for nearly 60 years on an ever-increasing range of subjects. Consultation has had special significance in the inter-American system since 1936, when the principle of con-

¹ BULLETIN of Sept. 14, 1947, p. 505.

ation was given treaty form. Consultation between sovereign equals is, of course, the very antithesis of coercion by a powerful nation of weaker neighbors.

A further characteristic of the system is the desire of the American Republics to settle by peaceful means any disputes which might arise between them. The inter-American machinery for peaceful settlement of disputes has its roots in the Gondra treaty of 1923, which has been amended and strengthened by subsequent agreements.

The inter-American system places great emphasis on cooperation for the general welfare. It is an accepted principle that cooperation among the states is necessary for the advancement and welfare of the peoples of the Americas. It is important that there should be a satisfactory standard of living in all the American Republics. A standard of living compatible with the dignity of human personality is imperative not only because of humanitarian considerations and sociological principles but also because a community of poverty which is constantly threatened by destitution and poverty becomes a fertile ground for ideologies which may become a threat to the security of the neighboring nations. On the other hand, a community with a satisfactory standard of living is the best insurance against the entrance of totalitarianism; it is the best assurance of the continuance of a democratic system.

The United States has cooperated wholeheartedly in such multilateral endeavors as the Pan American Sanitary Bureau, which is the inter-American health organization. It has also been active in bilateral programs. Through the Institute of Inter-American Affairs, the United States and other American Republics cooperate in health and food-production programs. Through the Interdepartmental Committee on Scientific and Cultural Cooperation the United States cooperates extensively in the scientific and technical field, and in the exchange of students and specialists. Cooperation among the American Republics for the improvement of economic and social conditions is a means for undergirding democracy in the hemisphere.

A further characteristic of the inter-American system is the support which it gives to the United Nations as a regional arrangement under the

United Nations Charter. The United Nations Charter provides that regional organizations shall have a function in the peaceful settlement of disputes and contemplates that regional arrangements may have certain enforcement functions under authority of the Security Council. The American Republics are loyal in their support of the world organization. They acknowledge that cooperation between their American neighbors does not preclude the necessity for cooperation on a world-wide basis. At the same time, the American Republics recognize that world-wide cooperation does not preclude the close and fruitful relationship which the American Republics have developed over the course of years. Very far from being mutually exclusive, cooperation on a world-wide basis and regional cooperation in the inter-American system, supplement one another—the regional cooperation giving support to world-wide cooperation in the United Nations.

The American Republics have a long history of cooperation in economic matters; in fact, the present-day Pan American Union started as a commercial bureau of the American Republics. There is at present an Inter-American Economic and Social Council. Economic cooperation has its roots in economic interdependence. It is safe to assume that the coffee you had for dinner today was made from coffee grown in Brazil or one of the other American Republics. Many other instances of this kind could be mentioned. On the other hand, many of the products of New Jersey and other states of the Union find their way to South America. Inter-American trade is important to the American Republics. Many of the other American Republics are in need of economic development, for which they need tools and machinery. To purchase tools and machinery requires foreign exchange. Problems of this kind are to be discussed at an Inter-American Economic Conference in Buenos Aires in the spring of next year.

Organization of the System

The characteristics of the inter-American system find their expression in the organizational set-up of the system. The agency with which there is the greatest familiarity in the United States is the Pan American Union. The Pan American Union is the permanent organ of the

inter-American system which, of course, is far more extensive than the Union itself.

The organization of the inter-American system is depicted on the accompanying chart. The title, "Organization of American States", and the subtitle, "The International Organization of the 21 American Republics established by the Charter signed at the Ninth International Conference of American States, Bogotá, Colombia, 1948", appear on this chart. While the name, "Organization of American States", was selected in Bogotá in the spring of this year, the organization or association of American states itself dates back to the First International Conference of American States held in Washington in 1889-90. At this conference the International Union of American Republics came into being. The present Organization of American States is the lineal descendant, or perhaps it would be more accurate to say, the reorganization of the International Union of American Republics of 1889-90.

One of the main purposes of the Bogotá conference was to work on a reorganization of the inter-American system. The system had experienced a spontaneous growth from the days of its inception and the need was quite generally felt for integration and coordination of the various inter-American organizations and agencies that had developed. The Bogotá conference prepared a charter for the Organization of American States which provides an integrated system for the various agencies of the Organization.

The box at the top of the chart relates to the Inter-American Conference. This is the supreme organ of the Organization and decides the general action and policies of the Organization. All member states of the Organization are represented at the Inter-American Conference and each state has the right to one vote. The conference will meet every five years in regular session; however, special sessions may be called with the approval of two thirds of the governments. There have been nine inter-American conferences of this type in the past, beginning with the one in Washington in 1889-90, the most recent one being at Bogotá.

The straight line down from the Inter-American Conference leads to the Council of the Organization, which is the permanent executive body of the Organization. The Council is composed of one representative of each of the member states.

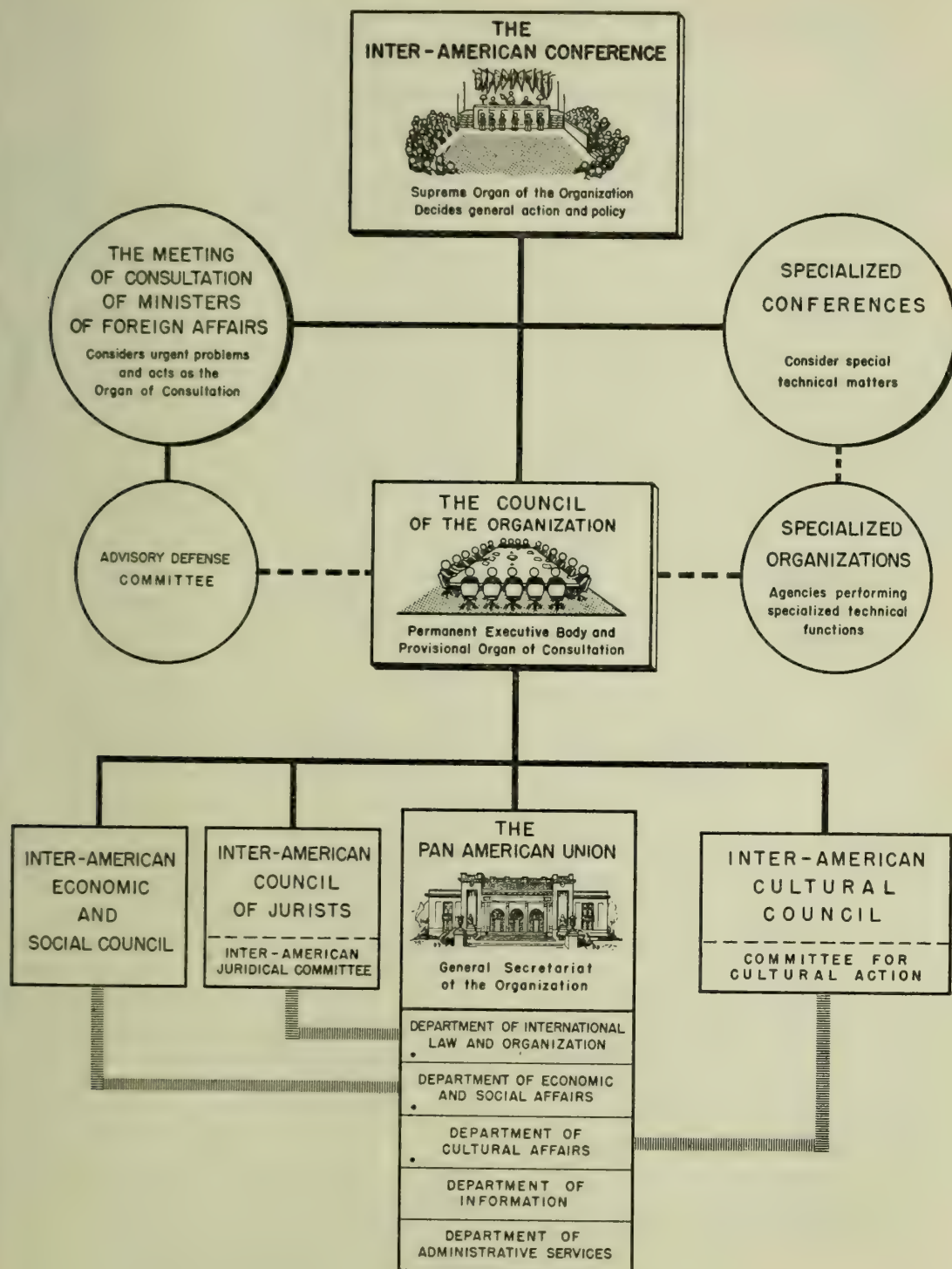
The Council meets at the Pan American Union building in Washington at regular intervals—in the past usually once a month, but in the future it will probably meet twice a month. Many of the countries are represented by a full-time representative, with the rank of Ambassador; others have appointed their Ambassador to Washington to serve as their representative on the Council. The Council makes recommendations to the governments, to the Inter-American Conference, and to the agencies of the system. It serves as a point of coordination for the functioning of the whole system, and promotes and facilitates collaboration between the Organization of American States and the United Nations and other international agencies.

The straight line down from the Council of the Organization, on the chart, leads to the Pan American Union. The picture in this box of the chart is the Pan American Union building located on the corner of 17th Street and Constitution Avenue in Washington, D. C. Visitors in Washington find it very interesting and worthwhile to stop at the Pan American Union building and see the many exhibits portraying the arts and industries of the other American Republics, as well as the tropical garden in the center of the building, and the beautiful Hall of the Americas; also the Council Room where the Council of the Organization holds its sessions and where the committees of the Council meet.

The Pan American Union had its inception in 1890 when the First International Conference of American States established it as the Commercial Bureau of the American Republics. In 1910 its name was changed to the Pan American Union. The Pan American Union is the central and permanent organ and general secretariat of the Organization. As is indicated on the chart, it has five departments—International Law and Organization, Economic and Social Affairs, Cultural Affairs, Information, and Administrative Services. Through these departments it promotes economic, social, juridical, and cultural relations among the member states. It also does preparatory work for inter-American conferences and serves as secretariat for the Council of the Organization and various inter-American conferences. The work of the Union has expanded to such an extent during the years of its existence that it is using every avail-

ORGANIZATION OF AMERICAN STATES

The International Organization of the 21 American Republics established by the Charter signed at the Ninth International Conference of American States, Bogotá, Colombia, 1948.



* The Directors of these Departments are the Executive Secretaries of the respective Councils.

(Courtesy of the Pan American Union)

able bit of space in the Pan American Union building, as well as extra space obtained in other buildings in Washington. It is in urgent need of the additional building which is being constructed at the present time on Constitution Avenue between 18th and 19th Streets, just across the street from its present building.

At the top of the chart and to the left, is a circle for the Meeting of Consultation of Ministers of Foreign Affairs. The Meeting of Foreign Ministers considers problems of an urgent nature and serves as the Organ of Consultation under the Rio treaty. Any member state may request that a meeting of consultation be called. When such a request is made, the Council of the Organization decides whether the meeting should be held. If an armed attack occurs within the territory of an American Republic or within the region specified in the Rio treaty, the Chairman of the Council of the Organization must call a meeting of Foreign Ministers immediately, at the same time calling a meeting of the Council itself, which is to serve provisionally as the Organ of Consultation.

Just below the circle on the chart for the Meeting of Ministers of Foreign Affairs is a smaller circle devoted to the Advisory Defense Committee. The Advisory Defense Committee is composed of the highest military authorities of the American states participating in a Meeting of Foreign Ministers when it is acting as the Organ of Consultation. It is convoked under the same conditions as the Organ of Consultation in order to advise the Organ of Consultation on problems of military cooperation that may arise in connection with the application of treaties on collective security. The Committee may also meet under certain other conditions, for technical studies and reports on specific subjects.

On the right of the chart are also two circles—the top circle, "Specialized Conferences", refers to conferences of the American Republics which meet to consider technical matters or to develop specific aspects of inter-American cooperation. The economic conference to be held in Buenos Aires next spring is a conference of this type. These conferences are called when the need for them is felt, or pursuant to provisions in existing inter-American agreements.

The smaller circle on the right deals with specialized organizations. These are inter-American

organizations which have been established by mutual agreement and have functions with respect to a given field of common interest to the American states, such as health, transportation, commerce, geography, and history. Agreements are to be entered into between the Council and specialized organizations defining the relations that shall exist between the respective agencies and the Organization of American States.

On the lower part of the chart to either side of the Pan American Union are boxes containing the names of three Councils—The Inter-American Economic and Social Council, the Inter-American Council of Jurists, and the Inter-American Cultural Council.

The first of these—the Inter-American Economic and Social Council—is currently in existence and has been for several years. Its principal purpose is the promotion of the economic and social welfare of the American nations through effective cooperation for the better utilization of their natural resources, the development of their agriculture, commerce, and industry, and the raising of the standards of living of their people. The Inter-American Council of Jurists and the Inter-American Cultural Council are new councils first provided for in the charter signed at Bogotá, although the Inter-American Juridical Committee, the permanent committee of the Inter-American Council of Jurists, is a continuation of the Juridical Committee which has been in existence for several years in Rio de Janeiro. The Juridical Council will serve as an advisory body on juridical matters, will promote the development and codification of international law, and will study the possibility of attaining uniformity in the legislation of various American countries. The Cultural Council will seek to promote free relations and mutual understanding among the American people in order to strengthen their educational, scientific, and cultural ties and to promote and coordinate activities in these fields. As in the case of the Inter-American Economic and Social Council, all of the American Republics will be represented on the Juridical and Cultural Councils. The Council of the Organization has a committee at work at the present time which is preparing for the actual establishment of the Juridical and Cultural Councils.

The foregoing is a summary of the organization of the inter-American system as contemplated by

the charter signed at Bogotá. The charter is a treaty, and hence, will have to be ratified by the republics in accordance with their respective constitutional procedures. It will enter into force among the ratifying states when two thirds of the signatory states have deposited their ratifications. However, since the charter is actually a reorganization of an existing system rather than a completely new organization, and since all of the American Republics signed the charter, the Bogotá conference felt that there was every reason for placing the organizational set-up in effect immediately, so that the benefits of the reorganization could be attained immediately, without having to wait for the necessary 14 ratifications.

The Bogotá conference, therefore, passed a resolution which places the organizational set-up of the charter in effect provisionally and also specifies that the new organs provided for in the charter shall be established on a provisional basis.

The inter-American system is a mighty bulwark of solidarity in a turbulent world. Here equal sovereignty is recognized, countries avoid intervention in each other's internal affairs, but consult on matters of mutual interest. Here we have peaceful settlement of disputes and cooperation for the general good. Such a system, such an organization of states, such a free community of neighboring nations, is a tower of strength to the United Nations and to the world.

Related Department of State Publications on the American Republics

The following publications may be secured from the Superintendent of Documents, Government Printing Office, Washington 25, D.C.

Report of Delegation of United States to Inter-American Conference on Problems of War and Peace, Mexico City, Feb. 21-Mar. 8, 1945. Conference Series 85. Pub. 2497. 1946. 371 pp. 55¢.

Report on the work of the Conference, with appendixes, including the Final Act of the Conference and draft resolutions presented to the Conference.

Cultural Centers in the Other American Republics. By Dorothy Greene and Sherly Goodman Esman, Department of State. Inter-American Series [30]. Pub. 2503. 1946. 20 pp. 5¢.

An explanation of activities and studies in the cultural centers established in the American republics by local groups and U.S. nationals.

Sharing "Know-How" — An Inter-American Achievement. Foreign Affairs Outline No. 14. Inter-American Series 34. Pub. 2949. 1947. 4 pp. Free.

Development of inter-American bilateral scientific and cultural cooperation during and after the war, effected principally through the Interdepartmental Committee on Scientific and Cultural Cooperation and the Institute of Inter-American Affairs.

Cooperation in the Americas: Report of the Interdepartmental Committee on Scientific and Cultural Cooperation, July 1946-June 1947. International Information and Cultural Series 1. Pub. 2971. 1948. 146 pp. 40¢.

A discussion of the cooperative scientific and technical projects, the exchange of persons, and other cultural interchanges between the Americas.

Inter-American Conference for the Maintenance of Continental Peace and Security, Quitandinha, Brazil, Aug. 15-Sept. 2, 1947: Report of the Delegation of the United States of America. International Organization and Conference Series II, American Republics 1. Pub. 3016. 1948. 225 pp. 40¢.

A discussion of all phases of the Inter-American Conference for the Maintenance of Continental Peace and Security, with ample documentation.

Sovereignty and Interdependence in the New World: Comments on the Inter-American System. Inter-American Series 35. Pub. 3054. 1948. 32 pp. Free.

An article by William Sanders describing various phases of inter-American cooperation as it has developed during the past 60 years.

Address by the Secretary of State Before the Second Plenary Session of the Ninth International Conference of American States, Bogotá, Colombia, Apr. 1, 1948. International Organization and Conference Series II, American Republics 2. Pub. 3139. 1948. 14 pp. Free.

Presenting the U.S. point of view on inter-American cooperation and organization.

Significance of the Institute of Inter-American Affairs in the Conduct of U.S. Foreign Policy. Inter-American Series 36. Pub. 3239. 1948. 19 pp. 15¢.

A series of articles by Louis J. Halle, Jr., on inter-American cooperation under the Institute with emphasis on the fields of agriculture, education, and health.

UNITED NATIONS ECONOMIC COOPERATION

by Norman Burns

Adviser, Office of International Trade Policy

In the midst of World War II, a commission of the Federal Council of Churches proposed six prerequisites of "a just and durable peace". One of those proposals relates directly to United Nations economic cooperation. It reads as follows:

"The peace must make provision for bringing within the scope of international agreement those economic and financial acts of national governments which have widespread international repercussions."

The commission explained its proposal in a brief comment:

"Science", it said, "has made it possible for the world to sustain a far greater population than was formerly the case and to attain for that population a high standard of living. But this involves a large degree of transportation and interchange between one nation and another. Thus all people are subject to grave risk, so long as any single government may, by unilateral action, disrupt the flow of world trade. This is a form of anarchy that creates widespread insecurity and breeds disorder. It prompts nations to seek self-sufficiency for themselves at the expense of others. We do not here envisage, as presently practical, a condition of 'free trade'. But the world does require that the areas of economic interdependence be dealt with in the interest of all concerned and that there be international organization to promote this end."

Need for International Economic Cooperation

This trend of thought motivated the creation of a postwar structure of international economic cooperation. Thoughtful people had become convinced of the economic interdependence of the various countries. They had seen from their own experience how unilateral action by each country, without adequate regard to the effect of its action on other countries, had led to economic warfare that "dried up" international trade in the 1920's

and 1930's. They had seen how the mishandling of the world's economic problems in the intervening years had created political instability that rendered more difficult the task of maintaining peace. They knew that World War II had disrupted world economic life far more than had the first world war. The second world war had lasted for a longer period of time and had destroyed more life and more property over a wider area of the globe than any previous war. Many people realized that if our kind of world was to survive this holocaust, the various countries would have to cooperate in political and economic matters to achieve economic recovery as quickly as possible.

Postwar Progress

Within the short space of three years, the United Nations have created an operating mechanism for international economic cooperation—something they had not been able to do after the first world war. At times the obstacles seemed almost insurmountable. Yet when we consider the situation today in relation to 1945, the accomplishment seems very great indeed. Within three years after the first world war, the United States experienced the severe depression of 1921; and famine stalked through many foreign lands. Today the United States industrial production is two thirds above that of prewar years; agricultural production, one third above. Canadian and Latin American production is substantially higher than before the war. By the end of 1947, nearly all the European countries (except Germany) had reached or exceeded their prewar industrial output, according to the latest annual report of the International Fund. Western Germany's industrial output is now 70 percent of the prewar level. Exports from the 16 Western European countries participating in the European Recovery Program were 30 percent greater in volume in 1947 than in 1946, and the 1947 volume was only 10 to 15 percent less than

n 1938. The bread-grain production of Western Europe in 1948 was about 12 percent below the 1938 volume, according to the United States Department of Agriculture.

The fact that emerges from these broad comparisons is that after the most devastating of all wars and in the face of determined Communist attempts to prolong the disruption of war-torn countries, the non-Communist world had made great strides toward economic recovery. The major reason for the success thus far achieved lies in the determination of the non-Communist world to follow a course of international economic cooperation. The United States has contributed in full measure to such cooperation. Without United Nations cooperation and United States assistance, such recovery would not have been possible.

Instruments of U.N. Economic Cooperation

The United Nations economic structure consists of the Economic and Social Council and the specialized agencies. The Economic and Social Council serves as a forum for the discussion of all economic and social matters pertinent to economic stability and well-being as a basis for peace. It is composed of 18 Member Countries elected by the General Assembly for three-year terms. It has been meeting twice a year (seven meetings to date), and its next meeting will be at Lake Success in February 1949. The United States Representative on the Council is Willard L. Thorp, Assistant Secretary of State for economic affairs.

The authority of the Economic and Social Council is confined to consultation, discussion, and recommendation; it has no coercive power. It may make recommendations, on the basis of majority vote, to the General Assembly, Member Governments, the specialized agencies, and, under certain conditions, to the Security Council. It may consider any kind of economic or social question brought before it by Governments Members of the United Nations, or, in certain cases, by nongovernmental organizations which have consultative status with the Economic and Social Council. It may deal with regional economic problems. It has called conferences to deal with the conservation of natural resources, freedom of the press, and the establishment of the World Health Organization. Its resolution of February 1946 proposed the calling of an international trade conference to reduce

world-trade barriers and to expand world trade. This resolution led to the 23-nation General Agreement on Tariffs and Trade, negotiated at Geneva last year, and to the Havana Charter for an International Trade Organization. The Economic and Social Council is responsible, also, for coordinating the activities of specialized economic organizations, such as the International Bank, the International Fund, the Food and Agriculture Organization, the International Labor Organization, and the proposed International Trade Organization.

The International Bank was created in 1945 to make long-term loans for the reconstruction and development of member countries. Its total capital amounts to 8,286 million dollars; its resources in terms of gold, dollars, and United States bonds amount to one billion dollars. It has granted reconstruction loans amounting to 525 million dollars to France, the Netherlands, Denmark, Luxembourg, and Chile. According to a recent press statement by John J. McCloy, president of the Bank, the Bank may make further loans up to 478 million dollars within the next six months. Securities have been sold in the United States amounting to 250 million dollars, and Mr. McCloy said that further issues are contemplated. Bank securities are legally authorized investments for institutional investors for all national banks, for commercial banks in 41 States, for savings banks, and insurance companies in 22 States, and for trust funds in 28 States.

The International Monetary Fund, a sister organization of the Bank, was established to reduce wide fluctuations in exchange rates between different currencies. It advises member countries in the establishment of exchange rates; it serves as a continuous forum for consultation on such problems; it sends technical missions to member countries, at their request, to help them put their fiscal affairs in order; and it buys and sells foreign exchange. In the period from July 1, 1947, to April 30, 1948, it bought 544 million dollars of foreign currencies. Voting power in the Bank and the Fund is based primarily upon the country's participating capital. The United States has 33.65 percent of the Bank votes and 30.62 percent of the Fund votes. The latest annual reports of the Bank and the Fund contain excellent surveys of the present world economic situation.

The Food and Agriculture Organization and the

International Labor Organization have specialized economic functions. The former makes recommendations on world supplies and requirements of foodstuffs, the latter on world labor conditions. Like the Bank and the Fund, each has a membership of approximately 50 countries. The Soviet Union is not at present a member of any of these agencies except the Economic and Social Council, where it usually opposes the economic programs of the non-Communist world. Finland, Poland, Czechoslovakia, and Yugoslavia are members of most of the specialized agencies.

The United Nations economic structure is now virtually complete except for the establishment of the proposed International Trade Organization. During the Habana conference last spring, representatives of 54 nations agreed upon a draft Charter for an International Trade Organization. This Charter will be submitted to the legislatures of the various countries for ratification. It will be submitted to the United States Congress probably early next year.

The Charter does two things: it establishes a code of fair-trade rules that countries voluntarily agree to follow in their trade with each other; it proposes an organization to implement the rules of fair trade and to serve as a forum for the settlement of trade disputes between members. The Charter seeks to avoid the kind of economic warfare between countries that limited world trade in the 1920's and 1930's.

The United States has actively sponsored this project, through five years of international discussions and conferences, for the reason voiced in the resolution of the Federal Council of Churches, namely, that when governments are free to take unilateral action to disrupt the flow of world trade, the inevitable result is "anarchy that creates widespread insecurity". Cordell Hull, then Congressman from Tennessee, proposed the creation of such an organization during the first world war. His resolution in the House of Representatives, April 23, 1917, proposed a "permanent international trade agreement congress" to consider "all international trade methods, practices, and policies which in their effects are reasonably calculated to create dangerous and destructive commercial controversies or bitter economic wars" and "to formulate treaty arrangements with respect thereto, designed to eliminate, prevent, and avoid the inju-

rious results and dangerous possibilities of economic warfare . . .".

The Charter rules cover the whole range of international trade relationships: tariffs, quotas, subsidies, foreign exchange, customs formalities, cartels, commodity agreements, nondiscrimination, and the international aspects of foreign investment, employment, and economic development.

The basic principles of the Charter are simple. Countries voluntarily agree to follow certain fair rules of trade. If countries desire to take certain actions, they must consult with each other. The Charter rules represent commitments by governments to refrain from various governmental actions which they are now at full liberty to take that interfere with private trade. Thus the Charter gives greater scope for the development of trade on the basis of competitive rather than political considerations. This favors private enterprise.

One basic principle of the Charter is that countries should negotiate for the reciprocal reduction of world-trade barriers. Substantial progress has already been accomplished under the 23-nation General Agreement on Tariffs and Trade negotiated at Geneva last year. Under this agreement, the 23 countries reduced tariff rates on some items and bound tariff rates against increase on other items for products accounting for over one half of the world's total foreign trade. This was the most comprehensive attempt ever undertaken to reduce world-trade barriers. The general agreement is already in effect for all the 23 countries except Chile; it includes the United States, the British Empire countries, France, Belgium, the Netherlands, China, and certain Latin American countries. Next April 11 more countries (Sweden, Denmark, Finland, Italy, Greece, Peru, Uruguay, Dominican Republic, Haiti, El Salvador, and Nicaragua) will negotiate with each other and with the 23 nations of the General Agreement for a further reduction of world-trade barriers. The United States will conduct its negotiations in accordance with the usual Reciprocal Trade Agreements Act. The Soviet Union, although invited, did not participate in either the trade agreement or the Charter negotiations. The Soviet Union has opposed the Charter. Mr. Arutiunian, speaking for the Soviet Union before the Economic and Social Council, August 11, 1948, claimed that the

International Trade Organization would "exert pressure on countries practicing state-controlled trade" and that it would "contribute to the domination by the U. S. A. of world markets".

The European Recovery Program is not an integral part of the United Nations structure, but it complements United Nations economic cooperation. The basic reason for the European Recovery program was that Western Europe, as a result of war-dislocations, was unable to support itself. In 1947, for example, Western Europe's dollar deficit in current account upon the Western Hemisphere amounted to 8 billion dollars, according to the International Fund. The choice was either for the United States to extend aid to help Europe restore its economy quickly or for Europe to restrict its imports to its means of payment. The latter meant restriction of European consumption to a point that would be perilous to the economic and political stability of Western Europe. The United States Congress, following a bipartisan policy, voted 5 billion dollars for the European Recovery program in the 12- to 15-month period beginning April 1948; one half of this amount has already been authorized for procurement. Paul Hoffman, administrator of the program, says that further assistance will be needed until the summer of 1952, at which time Western Europe will be on a self-sustaining basis. But there is an "if"—if world trading conditions are such as to permit an expansion of world trade.

It is because of this "if" that the ultimate success of the European Recovery Program is closely associated with the United States trade program. Europe cannot support itself without a flourishing world trade, because the European economy is built upon the procurement of raw materials in some countries and the sale of manufactured products in other countries. The United States Congress recognized this basic situation in the "Economic Cooperation Act of 1948", which created the European Recovery Program, when it required under the act (section 115) that the United States cooperate "with other participating countries in facilitating and stimulating an increasing interchange of goods and services among the participating countries and with other countries and cooperating to reduce barriers to trade among themselves and with other countries".

The International Bank, in its latest annual report, also emphasizes that in the long run Euro-

pean recovery depends upon a large world trade. It says in this respect:

"Unless the markets for European products can be broadened and greater freedom of intra-European trade can be attained, the hope for ultimate European recovery will be dimmed and the opportunity afforded by ERP will be lost. Trade barriers in whatever form tend to breed productive inefficiency. They enable inefficient and uneconomic enterprises to survive and prevent efficient producers from reaching the markets they need to improve their efficiency and increase their production."

Thus the Habana Charter for an International Trade Organization and the world trade barrier reduction program of the United States Government—both of which are instruments to expand world trade—complement the European Recovery Program. The recovery program is intended to put Europe on its feet as quickly as possible; the United States trade program and the Charter are intended to establish trade conditions that will enable Europe to stay on its feet after American emergency financial aid comes to an end.

Conclusions

United Nations economic cooperation is now a living reality. It is already functioning as regards the non-Communist world. The United States has contributed in full measure toward that recovery, at great cost to the finances and resources of this country. We did so because we knew that with our support, the postwar world might recover; without it, no one knew what the future might hold forth. The real issue was faith in a way of life.

The path of United Nations economic cooperation has not been easy. One keystone in the structure—the International Trade Organization—has not yet been established. In the United Nations structure, precisely the same as in national governments, organizations tend to overlap each other. In the United Nations structure, precisely as in national governments, some people and some countries are more interested in words than in deeds. In the United Nations negotiations, as in national governments, there are conflicts and differences of opinion. It is not always easy to make such organizations work effectively. The United Nations economic organizations can work only if the

Member Governments want them to work. The United Nations organizations were confronted with postwar economic problems of appalling magnitude. Communist strategy has been to prolong and aggravate these problems.

The problem of the future concerns the relation of the democratic and the Communist world. In this situation there are "pluses" for the democracies. Partly as a by-product of the United Nations activity, public opinion in each country under-

stands more clearly than ever before the nature of the world's economic and political problems. This is a plus in the balance. Another plus is that the democratic countries, notwithstanding all difficulties, have shown that they can work together; they have actually achieved tremendous progress toward world recovery. Another plus is American leadership, which, in the future as in the past, will count heavily in the balance of world affairs.

THE UNITED NATIONS AND SPECIALIZED AGENCIES

Adoption of Atomic Energy Resolution

STATEMENT BY WARREN R. AUSTIN¹

U.S. Delegate to the General Assembly

We have before us the resolution on atomic energy² adopted by more than a two-thirds vote at the 165th meeting of the first committee on October 20, 1948.

The resolution approves the general findings and recommendations of the first report, and the specific proposals of Part II of the second report of the Atomic Energy Commission, as constituting the necessary basis for the control of atomic energy to insure its use only for peaceful purposes, and for the elimination from national armaments of atomic weapons, in accordance with the terms of reference of the Atomic Energy Commission. It requests the six powers who were the sponsors, on the General Assembly, of the resolution which resulted in setting up the Atomic Energy Commission, to consult in order to determine if there exists a basis for agreement. Meanwhile, it calls upon the Atomic Energy Commission to resume its sessions and to proceed with the further study of such of the subjects remaining in its program of work as it considers to be practicable and useful.

The United States voted for this resolution in

Committee I.³ It will vote for it in this plenary session. In doing so, it is carrying out the commitment which it made to turn over its atomic weapons, its plants, and all its knowledge in this field, to an international agency in order that atomic weapons might be forever prohibited, and that peaceful uses of atomic energy might be successfully developed. To this commitment, it attached only one condition, namely: that a system of safeguards should be set up, such that, when the United States disposed of its atomic weapons, it would not be possible for any other nation to make or use atomic energy for destructive purposes.

We believe that the general principles and specific proposals of the Atomic Energy Commission, which have been developed after long discussion, and with such painstaking care, meet this condition. Many alternatives have been considered but none has been found which would contain equal guaranty of security to all nations.

In this matter, the interest of the United States is no different from the interest of any other country. Any weakness in the plan of control which would allow a possibility of a new threat of atomic weapons anywhere in the world after the signing of the treaty, would be disastrous to peace and security. There is no nation, great or small, which would be willing to envisage such a possibility.

¹ Made before the Plenary Session of the General Assembly in Paris on Nov. 3, 1948, and released to the press on the same date.

² See p. 606.

³ BULLETIN of Oct. 31, 1948, p. 539.

We firmly believe that the Soviet Union, when it has fully considered all aspects of this situation, and is ready to enter into a treaty for control and prohibition, will demand, as do all other nations, a plan which embodies every possible safeguard. When that time comes, it seems likely that the Soviet Union will itself insist on the safeguards embodied in this very plan, which they now so stoutly oppose.

The resolution before us also calls upon the six sponsors of the General Assembly resolution of January 24, 1946,⁴ who are the permanent members of the Atomic Energy Commission, to meet together and consult in order to determine if there exists a basis for agreement on the international control of atomic energy to insure its use only for peaceful purposes, and for the elimination from national armaments of atomic weapons. The United States shares the view of the majority of the nations members of the Atomic Energy Commission, as expressed in the Commission's third report,⁵ that such consultations are necessary. The impasse in the Atomic Energy Commission is basically due, not to differences in the technical details of the plan, but to the refusal of the Soviet Union to accept, in the words of the third report: "The nature and extent of participation in the world community required of all nations in this field." It is the desire of the United States that these consultations should be at a high level and principally concerned with the cause of the Soviet Union's finding itself at present unwilling or unable to take a cooperative part with other nations in the necessary measures for the maintenance of peace.

We do not assume that at the very first consultation the great difficulties which separate the Soviet Union from the countries of the Western world will be immediately resolved. But we believe that the time is appropriate for consultation on these matters. We do very seriously hope that quiet and mature discussion in an atmosphere of intelligent deliberation may make for progress in mutual understanding, and pave the way for intimate solutions. We believe that the terrible problem of atomic energy would provide a framework which would keep constantly before the conflicting powers the urgent necessity for agreement on measures which would resolve present difficulties, and which would lift from the hearts of nations the overshadowing fear of atomic warfare. As an additional step towards attaining this great objective, the General Assembly in this resolution calls upon the Atomic Energy Commission to resume its sessions, to survey its program of work, and to proceed to the further study of such subjects remaining in the program of work as it considers to be practicable and useful.

After the experience of the past two years in the Atomic Energy Commission, the United States had

about reached the conclusion that no further concrete advance could be made in the Atomic Energy Commission itself until some agreement had been reached on the basic barriers to immediate acceptance of a plan of prohibition coupled with effective control. The attitude of the United States in this respect was shared by the nine majority members of the Atomic Energy Commission when they voted for the third report. However, in the debate in Committee I, the Delegates of Syria, of Australia, and of India urged that the work of the Commission be continued in one or another form. This feeling was expressed by many other delegates, and the United States concurred. We say now to the General Assembly that we loyally participate in the request it is making upon the Atomic Energy Commission to resume its sessions, that we will earnestly proceed to the survey of the program of work of the Commission, and to the further study of such of the subjects remaining in the program of work as the Commission, in its discretion, considers to be practicable and useful.

The United States will do its share to carry out this mandate of the General Assembly in such a way as to advance, by every possible means, toward our common goal of control, and elimination from national armaments, of this dangerous weapon.

In making this promise, we are continuing a policy to which the people of the United States have been committed since the beginning of the Atomic Age. On October 27, 1945, the President of the United States, in his Navy Day address, reaffirmed the fundamentals of the United States foreign policy in the new frame of reference of the atomic bomb. In effect, he told the world that we hold the bomb and our knowledge of atomic energy as a "sacred trust", and that in no way did our possession of such a weapon constitute a threat to any nation, or make a departure from our basic foreign policy.

By the end of the first year of the Atomic Age, the United States had initiated action that:

Led to the creation of the mechanisms for international consideration of atomic controls;

Devised a detailed plan for the world control of nuclear energy under an International Atomic Development Authority representing all of the United Nations;

Adopted by Act of Congress a strict national control of all fissionable materials under a civilian commission;

Released radioactive materials (isotopes) for medical, biologic, and scientific research, and

Through its representative to the newly created

⁴ BULLETIN of Feb. 10, 1946, p. 198.

⁵ Department of State publication 3179.

THE UNITED NATIONS AND SPECIALIZED AGENCIES

United Nations Atomic Energy Commission had proposed a plan for the international control of atomic energy.

A notable part of this record is the public policy declared in the Atomic Energy Act of 1946.⁶ That carefully considered legislation primarily relates to domestic control. However, in the evolution of policy declared by that act the magnitude and complexity of the task to be met in international planning and intergovernmental collaboration, was discovered. Therefore, both national and international policies of atomic-energy control were brought close together in the technical study and political discussion which resulted in the Act. Consequently, we find that this law, devoted to domestic administration, provided, in part, in the very first section:

Purpose of Act. It is the purpose of this act to effectuate the policies set out in Section 1. (a) By providing, among others, for the following major programs relating to atomic energy.

(2) A program for the control of scientific and technical information which will permit the dissemination of such information to encourage scientific progress, and for the sharing on a reciprocal basis of information concerning the practical industrial application of atomic energy as soon as effective and enforceable safeguards against its use for destructive purposes can be devised,

(5) A program of administration which will be consistent with the foregoing policies and with international arrangements made by the United States, and which will enable the Congress to be currently informed so as to take further legislative action as may hereafter be appropriate.

In Section 8 of the same act we find this provision:

Any provision of this Act or any action of the Commission to the extent that it conflicts with the provisions of any international arrangement made after the date of enactment of this Act shall be deemed to be of no further force or effect.

In the performance of its functions under this Act, the Commission shall give maximum effect to the policies contained in any such international arrangement.

The declarations of the Atomic Energy Act of 1946 show clearly the intentions of the American people with respect to the relationship between domestic and international control of atomic energy.

More recently, on June 11, 1948, the Senate of the United States set forth as one of the objectives which the United States Government is particularly to pursue, the following:

"Maximum efforts to obtain agreement among member nations upon universal regulation and reduction of armaments under adequate and dependable guaranty against violations."

International control of atomic energy was considered "the immediately crucial aspect of the entire problem of armaments".

⁶ S. Rept. 1211, 79th Cong. (the McMahon bill).

These declarations are important because they represent the will of the American people expressed by the Congress elected by them. They provide a clear and continuing mandate for the carrying out of American policy as established by the people.

In this brief sketch of early policy development the General Assembly may perceive the relation to world safety of the principles and policies contained in the proposed resolution.

In the first meeting of the Atomic Energy Commission, the United States suggested certain principles which might be used by the Commission as a basis for its studies. During the almost three years which have followed, other nations have made important contributions to these principles. Notably, there have been contributed the proposal that quotas representing the proportion of nuclear fuel which would be assigned to each nation for peaceful purposes, should be written into the treaty, and not left to the arbitrary decision of the international agency; and, further, the principle that upon the signing of the treaty, production of nuclear fuel should be kept to a minimum necessitated by actual beneficial uses. The new principles were accepted by the United States the first, because it dispelled the charge that the international agency would be armed with arbitrary powers by which it might interfere with the economic life of other nations, and the second, because it enormously increases the security of the world during that considerable period of time which may elapse before atomic energy finds its proper place in the world economy for the production of power.

The debate in the first committee was concerned almost entirely with the removal of the threat of atomic war. We feel that the debate on this resolution would not be complete unless the Assembly gives consideration to the other vital purpose laid down by the General Assembly in giving to the Atomic Energy Commission its terms of reference, namely, the development of atomic energy for peaceful purposes.

The products of nuclear fission can be employed in nondangerous quantities over a wide range of scientific activities, from which we may hope for considerable benefits to mankind. Indeed, benefits of this sort are already being attained, in part through the distribution by the United States of isotopes produced in its plants and laboratories and made available to all nations who are willing to publish the results of their work. But the great field of advance lies in the possibility that large and, thus unfortunately, dangerous quantities of nuclear fuel may be used to produce electricity for power, and thus open a new era of well-being to vast numbers of people to whom other power resources are not available. Scientists tell us that it may take from 10 to 50 years before power from

nuclear fission can be produced on a basis to compete, even in a remote region with power produced from other fuels. The length of time which will be required for this great peacetime achievement of science will depend, to a large degree, upon the free world-wide exchange of information in this field.

At the present time, progress is being made slowly by individual nations, limited in their resources and forced to throw over their work a veil of secrecy which prevents their receiving the help of scientists from other countries.

Under the proposals now put forward by the United Nations Atomic Energy Commission, which are before you for approval, this situation would be very rapidly improved.

In the plan of the Commission, it is proposed that scientific research with nondangerous quantities of atomic materials would be carried on under license in national and private laboratories. The atomic materials used or produced would be owned by the agency. The purpose of the license would be to insure that dangerous quantities were not involved, that atomic weapons were not developed, and that all information on the research and its results were immediately reported to the agency so that it could be freely interchanged and made public. There would be no other restrictions on scientific research with nondangerous quantities of material.

Thus, research in beneficial uses would not be confined to agency laboratories. The conduct of such research by nations and individuals would be promoted and encouraged by the agency which would be authorized to make available personnel, materials, facilities, and funds for these purposes. By such assistance and by publishing all information relating to atomic energy the agency would facilitate international cooperation among scientists and would give an immediate and enormous impetus to scientific research.

After the establishment of international control, important peaceful benefits of atomic energy would be available to all participating nations. The most immediate of these beneficial applications is in the field of biology and medicine. A possible future application is in the development of atomic power. There are many scientific, technical, and engineering problems to be solved before atomic power can become a practical reality. There are also questions of economic feasibility which need to be answered. To solve these problems and answer these questions, the international agency would promote research and development on atomic power in its own laboratories and in national and private laboratories.

Whenever experimental work on power undertaken by a nation reaches a point at which further development would require the use of atomic materials in dangerous quantities, the agency itself unequivocal terms. The General Assembly now

would take over such a development in cooperation and agreement with the nation concerned, and carry forward the work provided the agency deemed it to be consistent with the general requirements of security. Experimental or pilot plants would be set up, owned and operated by the agency in several countries, and the experimental and development work done in those plants would be carried on with the help of scientists and engineers from many countries. All of the results of such experimental developments would be freely circulated and published. There would thus be every prospect for an enormous acceleration of this important work which holds so much hope for mankind.

When and if the time comes that atomic energy can be used to produce power on an economical basis, the international agency would, subject to the requirements of security, make such power available at the request of any nation ready to enter into appropriate agreements. Thus all nations, with the minimum of interference in their economic affairs, would enjoy the benefits and the positive advantages that would arise from the cooperative development of atomic energy and the sharing of information, facilities, and personnel.

We know of no way other than the method of an international agency as now proposed, by which mankind could hope so soon to derive these full and important peacetime benefits. Until such a plan is adopted, the secrecy required to protect not one nation but all nations against the clandestine acquisition and ownership of atomic weapons will remain. This secrecy inevitably acts as a delaying factor in the advance towards the constructive use of atomic energy.

We have touched on this matter here because while this plan and proposal of the Atomic Energy Commission has as its negative side the necessity of controlling atomic weapons and prohibiting their use, it has on its positive side a great constructive purpose which can be fully attained in no other way.

Since August 8, 1945, the United States has consistently maintained the view that atomic weapons must be removed from national armaments. For over three years, the United States has worked toward that end. This has been, and still remains, our consistent purpose. Our offer still stands.

The United Nations Atomic Energy Commission has labored arduously to set forth in a single plan those two great objectives of the General Assembly, which were laid down in the terms of reference to the Commission.

We believe that the General Assembly is now at the point of taking a critical step towards the implementation of the work of the Commission.

What is needed is that the mandate of the General Assembly should be expressed in clear and

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unequivocal terms. The General Assembly has an opportunity to approve this resolution by the vote of an overwhelming majority of its members.

In doing so, the Assembly would add to the opinion of its Atomic Energy Commission the moral power of its carefully considered judgment. It

would provide a new lever by which new force of cooperation could be activated. It would stimulate the faith of uncounted millions of anxious people that the United Nations can and will persevere, however complex the differences, to the pacific solution.

Resolution on Reports of the Atomic Energy Commission ¹

The General Assembly,

HAVING EXAMINED the first, second and third reports of the Atomic Energy Commission which have been transmitted to it by the Security Council in accordance with the terms of General Assembly resolution 1 (I) of 24 January 1946,

1. *Approves* the General Findings (part II C) and Recommendations (part III) of the first report and the Specific Proposals of part II of the second report of the Commission as constituting the necessary basis for establishing an effective system of international control of atomic energy to ensure its use only for peaceful purposes and for the elimination from national armaments of atomic weapons in accordance with the terms of reference of the Atomic Energy Commission;

2. *Expresses* its deep concern at the impasse which has been reached in the work of the Atomic Energy Commission as shown in its third report

and regrets that unanimous agreement has not yet been reached;

3. *Requests* the six sponsors of the General Assembly resolution of 24 January 1946, which are the permanent members of the Atomic Energy Commission, to meet together and consult in order to determine if there exists a basis for agreement on the international control of atomic energy to ensure its use only for peaceful purposes and for the elimination from national armaments of atomic weapons, and to report to the General Assembly the results of their consultation not later than its next regular session:

4. Meanwhile,

The General Assembly,

Calls upon the Atomic Energy Commission to resume its sessions, to survey its programme of work, and to proceed to the further study of such of the subjects remaining in the programme of work as it considers to be practicable and useful.

Current United Nations Documents: A Selected Bibliography ²

Trusteeship Council

Report of the Drafting Committee on the Report on the Administration of New Guinea for the Year 1 July 1946 to 30 June 1947. T/202, July 29, 1948. 19 pp. mimeo.

¹ Contained in U.N. doc. A/690, Oct. 23, 1948. Adopted by the First Committee on Oct. 20, 1948.

² Printed materials may be secured in the United States from the International Documents Service, Columbia University Press, 2960 Broadway, New York City. Other materials (mimeographed or processed documents) may be consulted at certain designated libraries in the United States.

—Report on the Administration of Tanganyika for 1947. T/204, July 30, 1948. 42 pp. mimeo.

—Report on the Administration of South West Africa for 1946. T/209, August 2, 1948. 10 pp. mimeo. Non-Self-Governing Territories. Summaries and analysis of information transmitted to the Secretary-General during 1947. vii, 509 pp. printed. \$4.00.

Atomic Energy Commission

An International Bibliography on Atomic Energy. Scientific Aspects. Volume II. Part III—The Biological and Medical Effects of High Energy Radiation. Part IV—Isotopes in Biology and Medicine. (Preliminary Edition). AEC/INF/9, September 17, 1948. mimeo.

Discussion of Greek Problem

STATEMENTS BY JOHN FOSTER DULLES IN COMMITTEE I¹

U.S. Delegate to the General Assembly

Continuation of Balkan Commission

We now deal with the substance of the agenda item: "Threat to the political independence and territorial integrity of Greece". Unfortunately, the threat to Greece is not an isolated fact. Whether it is part of a larger problem, many phases of which come before the United Nations.

In Greece, Communists are attempting to overthrow the Government by violence, and in this effort they are receiving aid from other countries that are already Communist controlled. This violent effort to establish in Greece a Communist government is but part of a general effort to extend the power of Soviet Communism throughout the world. The Security Council has been considering another phase of this problem as it dealt with coercive measures being taken by the Soviet Union to extend its power over all Berlin. This Assembly will deal with another phase when we take up the agenda item of Korea. Wherever one looks, whether it be to Europe, Africa, Asia, or the Americas, there is apparent the same pattern of effort—namely the incitement, from without, of coercion, fear, and violence within to achieve international political objectives. The manifestations of this effort differ only as they are adjusted to local situations.

There is nothing surprising about this uniformity, for it reflects what Communists throughout the world have been consistently taught and what they are being taught today. The Soviet, they are told, will not be safe until the non-Communist nations have been so reduced in strength and numbers that Communist influence is dominant throughout the world, and that, in such efforts, the Soviet Communist Party is the "vanguard", the "shock-brigade" of the world proletariat. It is furthermore taught that this result cannot be achieved by peaceful reform but only by methods of revolution. Therefore, when throughout the world, Communists seek to weaken and overthrow non-Communist governments and use force, coercion, and terrorism, they are only doing what their foreign leaders have taught them to do.

Of course, under the Charter of the United Nations, men are entitled to follow the dictates of their conscience and their reason, and to

attempt, by example and persuasion, to bring others to share their beliefs. That, we believe, is a human right and fundamental freedom that the Charter consecrates. But, and this is the essential, the Charter does not countenance using *violence* to achieve international ends. Article 2 (4) binds all the Members broadly to "refrain in their international relations from the threat or use of force". This does not mean that the Charter attempts to freeze the *status quo*. On the contrary, throughout its preamble and its articles runs the theme of a changing world, a world in which there is "social progress and better standards of life in larger freedom". (Preamble.) Article 14 gives this General Assembly the authority to "recommend measures for the peaceful adjustment of any situation regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations". But such adjustment must be "peaceful".

There is thus a basic contradiction between the Charter theory of *peaceful* change, by evolution, and the Communist doctrine of *violent* change, by revolution. And it is because Soviet Communism teaches and practices the use of violence that the United Nations has found it impossible, as yet, to relieve the peoples of the world from the heavy burden of armament and the even heavier burden of fear.

So long as Soviet Communism does preach and practice revolution as a means to destroy the social order elsewhere and to achieve world-wide political ambitions, many are bound to wonder whether the Communist Governments signed the United Nations Charter with integrity of purpose. The United Nations is, however, faced with that practical situation. Under the circumstances, it must do what it can to check the threat and use of violence and thereby to remove the pall of fear which overhangs the world. Its means to this end are inadequate. "Action" is a primary responsibility of the Security Council, and in the Security Council the Government of Soviet Russia wields a power of veto. That, indeed, is why this Balkan

¹ Made on Oct. 26 and Nov. 5, 1948, respectively, and released to the press on the same date.

affair is before the Assembly. The Soviet Union, by its veto last year, made the Security Council impotent to deal with it.

The Assembly has, however, great possibilities if they are properly understood and fully used. The Assembly can expose the facts and by so doing can build up a moral judgment so widespread and so weighty that no nation will ignore it. Marshal Stalin said of the League of Nations that "despite its weakness the League might nevertheless serve as a place where aggressors can be exposed". He put his finger on a great power—the power of exposure. It does not work with precision or with immediacy, but it is, in the long run, a power to which all are sensitive for history has proved that those who flout it pay, some day, a heavy penalty.

So, in a world where some nations believe in methods of violence, this Assembly must set itself the hard task of exposing every such manifestation and gradually developing a world opinion so condemnatory of such methods, so disposed to suppress them, that violent methods will gradually fall into disuse as ineffectual and dangerous to those who employ them. Then at last we shall have a world in which, despite differences, men will, in the words of the Charter, "practice tolerance and live together in peace with one another as good neighbors".

Greece is a case in point. Last year this Assembly established a Special Committee on the Balkans, composed of eleven Member States and charged with two main functions: To be available to assist Greece and its three northern neighbors to settle their differences amicably if, happily, their mood should make this possible and, secondly, to inform the United Nations and, through it, the world, regarding the conditions along the northern Greek frontier.

Unfortunately, the Committee was unable to perform its first function, for Albania, Bulgaria and Yugoslavia refused to cooperate with the Committee. However, the unanimous factual conclusions of that Committee are now before this Assembly and these facts ought to be studied and proclaimed so that all will know.

On the basis of 86 first-hand observation reports, and through the testimony of more than 700 witnesses, the Committee has found unanimously that²—

The Greek guerrillas fighting against the Greek Government have received large aid and assistance from Albania, Bulgaria, and Yugoslavia and have been furnished war material and other supplies from those countries. Great quantities of arms, ammunition, and other military stores have come across the border to Greek guerrillas, notably during times of heavy fighting.

² See *Documents and State Papers*, September 1948.

The territory of Albania, Bulgaria, and Yugoslavia has frequently been used as a base of military operations, and the guerrillas have frequently moved at will across the frontiers for tactical reasons. When the guerrillas are pinned against a frontier, they fall back across it, using it as protection, and then reappear elsewhere.

Thus in essence an international border comes a weapon of aggression against those who respect it.

The reports of the Committee are replete with concrete instances of the actual use of Yugoslav, Albanian, and Bulgarian territory. For example,

On March 1, 1948, there was heavy machine gun fire from Yugoslavia into Greece, for about 12 hours during daylight. Another machine gun from Yugoslavia territory fired into Greek territory a period of seven hours, while three men in Yugoslav uniforms chatted with the crew of the machine gun.

On July 11th there was artillery fire, on July 12th mortar fire, and on July 18th machine gun fire from Albania against the Greek national army.

On August 7, 1948, mortar fire was heard from within Bulgarian territory and on the same day two of the United Nations observers were actually wounded by artillery fire from Bulgarian territory. A plane bearing Bulgarian markings apparently machine-gunned Greek troops on August 17th.

These are but a few of many incidents actually observed by the United Nations Special Committee itself and are quite apart from the incidents reported by witnesses heard by the Committee.

The unanimous factual conclusion of the Special Committee is that what has happened "constitutes a threat to the political independence and territorial integrity of Greece and to peace in the Balkans". It has happened despite the fact that at the last session of the General Assembly by vote of 40 to 6 had called upon Albania, Bulgaria, and Yugoslavia "to do nothing which could furnish aid and assistance" to Greek guerrillas.

Some might say that, since these are the facts, the General Assembly resolution has failed. Such a conclusion is, I submit, totally unjustified. In fact, the General Assembly has not failed. It has not, to be sure, achieved immediate obedience to its will. But the General Assembly was never given authority to command obedience. It depends primarily on the power of public opinion and to build that up takes time, patience, and persistence. Already, however, the General Assembly has had an influence. It has had an influence in promoting aid to Greece. It has had an influence even along the northern frontier. The representative of my Government who served on the Special Committee believes, and I understand others believe, that if it had not been for the pressure

ce of the Special Committee in Greece, the military aid given by the northern neighbors of Greece, could have reached far greater proportions than, in fact, has been the case. There can, I think, be no doubt that the northern neighbors of Greece have, in fact, been restrained by the presence of the Committee and its power of exposure at this open meeting of the world".

All governments are sensitive to public opinion and, however eager they may be to promote violence to achieve their international ends, they are reluctant to do so if their conduct exposes them to the condemnation of world opinion and to the distance that that opinion inspires. The record before us is bad as to the conduct of some nations—is dismally bad—but it is not *fatally* bad, for Greece survives. We can reasonably feel that the assembly action of last year has been one of the indispensable factors that have, so far, preserved Greece the integrity and sovereignty which it is hoped this Organization could secure for all time for all of its Members.

Greece not only survives but, thanks to its own efforts and those of the United Nations and of her friendly states, Greece is steadily making progress in the rehabilitation of the country and in making good the terrific losses which Greece suffered when she resisted Nazi aggression and became its victim. Her army has made great sacrifices in bringing security to the Greek people and resisting the terroristic tactics of the guerrillas. Greek railroads are being rebuilt, the roads and bridges are being reconstructed, crops

are increasingly being cultivated, political conditions are stabilizing, and there are being created these "conditions of stability and well-being which" the Charter recognizes (article 55) "are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples".

I submit that the action of the United Nations in regard to Greece constitutes not a failure, but a success. The Members of the United Nations who have cooperated in this effort can properly be proud. It is, in my Government's opinion, abundantly clear that this effort to save Greece, which already has good results, should be carried on to the complete success that is now in sight. Therefore, my Government, in conjunction with the Governments of China, France, and the United Kingdom, is submitting and supporting a resolution which, in essence, continues the present Commission with the dual function of observation and good offices; which calls upon Greece's northern neighbors to cease and desist from aiding the effort violently to overthrow the Greek Government; and which assures a continuing exposure which will make it certain that, if there is continued violation of the Charter, world opinion will grow steadily more condemnatory, more resolute, and more potent to restrain aggression.

I hope, however, that events will not take that course, but that this general debate may demonstrate the possibility of a peaceful solution consistent with the political independence and territorial integrity of Greece.

Concern for Peace in the Balkans

Mr. Chairman, I wish first to comment on the attempt of the Soviet Delegation to divert attention by charging that the United States is developing Greece as a base for aggression in pursuance of its goal of "world mastery". That charge was repeated in chorus by the other Communist-controlled Delegations. Of course, Mr. Chairman, the United States Delegation denies that charge as a serious falsehood. But I realize that all governments always deny aggressive intentions. So, I write a more searching test, that of deeds.

Within the last 30 years the United States has been one of the principal victors in world war. Thereby we became possessed of vast power beyond our border. Yet, in the course of those 30 years, our national domain has actually contracted, not expanded. That simple fact speaks, I think, with significant eloquence.

After World War I we quickly withdrew from Europe a military force that was tremendous. We actually disarmed ourselves. Under the treaties of Versailles and of Berlin, we took no territory and no reparation. We were satisfied to have helped to save the free institutions of Europe.

Three years ago the United States had on the continent of Europe a military force that was one of the most potent the world has ever known, not just in numbers, but in its superb quality and its unmatched mechanized equipment. Our land forces in Europe consisted of over 3 million combat troops, with more than 14,000 tanks. We had here more than 17,000 aircraft manned by about half a million men. Our Navy was operating in the European theatre more than 5,000 vessels.

What of that remains in Europe today? The merest fragment, perhaps 3 percent. There are less than 500 men in Greece and not one of these a combat soldier. We disposed of or destroyed more than 5 million long tons of military stores in Western Europe and we destroyed here more than 4,000 complete United States aircraft. When we withdrew, we withdrew cleanly. We organized no disloyal groups, no fifth columns, to do our will. Our deeds, Mr. Chairman, are not the deeds of a nation that is set on world mastery.

It is quite true that the United States has now checked its program of disarmament. That is not our preference. It is due to the fact that the defeat

of Germany and Japan did not, as we had hoped, end the fears of the free peoples. Indeed a new fear now grips them and it is a fear that, unhappily, cannot now be allayed by international organization alone. That is in part because the Security Council's power to decide is crippled by veto and its power to act is crippled by lack of military contingents. It is in part because the threat is deviously contrived.

So long as that is the situation, the United States intends to be strong. We make no apology for that, because our strength is not for ourself alone. It is our purpose so to unite and strengthen the forces of freedom that they will not have to fear. In so acting we are, or course, motivated by self-interest. I do not pretend otherwise. But the self-interest we are serving merges with the self-interest of all those who renounce methods of violence, coercion, and terrorism and who, in the words of the resolution which last Wednesday the Assembly adopted unanimously, conform their policies to the Atlantic Charter declaration that all the men in all the land should live out their lives in freedom from fear.³

Our growing national strength no doubt displeases some; but it does not, I believe, frighten any. I ask each delegate to search his own mind and come to his own conclusion as to who and what his nation fears. I shall be satisfied with a silent verdict, for I know that some fear even to express their fear.

The Governments of Albania, Bulgaria, and Yugoslavia do not like it that the Government of Greece is getting from abroad military aid that it requested. But these northern neighbors of Greece can, if they want, bring that to an end. Let them comply with the solemn recommendations of the United Nations Assembly. Let them end their incitement and shielding of Greek guerrillas and Communist rebels and the giving to them of aid and comfort. Let them resume neighborly relations with the Greek Government. The Greek people, who have already endured eight years of cruel violence, surely want nothing more than to return to ways of peace and to dedicate their whole effort to the imperative tasks of reconstruction. Any Greek Government that maintained a military establishment for purposes other than independence, territorial integrity, and internal security, would quickly forfeit for Greece the support and sympathy she now enjoys.

I turn now to consider the Four Power draft resolution and in the first instance its acceptance of the special committee findings that the northern neighbors of Greece have allowed their territory to be used by Greek guerrillas and rebels and have otherwise aided and assisted them. A great effort has been made here to discredit these findings.

³ See p. 614.

In fact, the special committee was unanimous in factual conclusions and that, in my opinion, ought to be sufficient. Neither the Assembly nor the special committee with its large membership and crowded calendar can undertake, as a court of first instance, to weigh all the available evidence.

The special committee spent a year in actual observation. It saw for itself and it talked with hundreds of people to get their impressions. I doubt many of the people with whom they talked were unreliable. The special committee itself saw so. But surely the special committee is better qualified than we are to decide what weight should be given to what it saw and heard. To call the report of the special committee "garbage", as has been done here, is to insult a competent, hard working, and conscientious organ of the United Nations the members of which have endured much personal risk and hardship in order to carry out the desire of the General Assembly that, at this session, should have knowledge of the facts through an agency of its own choosing.

There can be no doubt that—as unanimously found by the special committee—"the Greek guerrillas have received aid and assistance from Albania, Bulgaria, and Yugoslavia; that they have been furnished with war material and other supplies from those countries; that they have been allowed to use the territories of Albania, Bulgaria and Yugoslavia for tactical operations; . . . The difficult question that confronts us here is not to decide what the facts are, but to decide what to do about them.

The debate shows that all of us feel disappointed that there is not open to this Assembly some quiet and direct method of putting an end to the existing situation. The Four Power proposal would, in effect, continue the special committee, with some clarification of its powers. That is what the special committee itself recommends, and it is hard to see any other course that is open to us.

Of course, if the northern neighbors of Greece were, in fact, willing to cooperate with this Assembly and with its special committee, that would make it possible to give the committee a different and more constructive task. There is, however, no present basis for planning on that assumption. The northern neighbors of Greece have been hearing moving pleas from Greece and others. So far their responses indicate that the Assembly is faced with the same hard attitude of noncooperation as has confronted it up to now.

Nevertheless, in the hope that this attitude may change, and the Assembly, in this situation, may serve the charter purpose of "harmonizing the actions of nations", the Four Powers, which sponsor the draft resolution before you, propose to add at paragraph 10 (C), an authorization to the special committee on its discretion to appoint one or more persons to use their good offices to promote cooperation with Greece that is sought of Albania

Bulgaria, and Yugoslavia. In that way the Assembly will have established means for reconciliation if developments should seem to make that possible. That, I believe, will respond to desires that have been expressed here in the course of the general debate, including also ideas that, we understand, have been expressed by members of the special committee, particularly the representatives of Pakistan and Brazil.

The primary dependence of the Assembly will, however, have to be upon its power to expose what happens and in that way to influence public opinion and national action throughout the world. Of course, that process does not give immediate decisive results. Nevertheless, as I pointed out in my opening statement, the power to expose, the power to educate public opinion, is, in fact, the most fundamental of all powers. We can see it at work.

There is little doubt that the situation along the northern frontier of Greece, bad as it is, would be far worse but for the fact that a United Nations committee was there to observe and report. Also, the facts that have been observed and publicly reported have influenced public opinion at least in the member state for which I speak. In consequence more is being done by the United States to help Greece than would otherwise be the case.

The representatives of the Soviet Union, Yugoslavia, Albania, Bulgaria, Poland, Czechoslovakia, Belorussia, and the Ukraine have here devoted many hours to attempts to discredit the factual findings of the special committee. Why have they done so? Because they are afraid to let those findings go unchallenged. Their conduct here is a mistakable proof, if indeed proof were needed, that nations whose conduct threatens the peace court the consequences of exposure.

Therefore, Mr. Chairman, I hope that this Assembly will continue to exercise its power of expo-

sure and that this year's resolution will be clearer, in this respect, than was that of last year.

In conclusion, Mr. Chairman, the United States Delegation believes that the Four Power proposal, with the addition I have indicated and with perhaps some changes to reflect constructive criticism, such as that of the Australian Delegation, constitutes the wisest course we can recommend to the General Assembly. It is in the main based upon the reports of the Special Committee for the Balkans, which was set up by the General Assembly last year for the very purpose of providing this session with findings and recommendations which would result from study of the situation on the spot.

The reports before us are the fruits of a difficult and testing experience. Violent efforts have been made to divert attention from them and torrents of abuse, ridicule and sarcasm have been poured upon them. But, as the general debate draws to a close, we can see that these findings and recommendations survive as the only solid foundation for future action. Nothing that has transpired here would justify this committee in setting aside the expert views on which the General Assembly expected us to act and substituting for them some inexpert improvisations of our own. Therefore, Mr. Chairman, the United States Delegation stands on the Four Power resolution which, in turn, stands on the findings and recommendation of our special committee. We think that that resolution can be improved in some respects by incorporating constructive ideas that have emerged in the course of the general debate. I have never known a general debate that did not add to the sum total of our wisdom, and I am glad to pay that tribute to the debate we now conclude. But in the main, we shall, I hope, stick to the lines of action that our special committee has recommended.

S. Position on Palestine Resolution

STATEMENT BY PHILIP C. JESSUP¹

Deputy U.S. Representative in the Security Council

Mr. President, I wish to speak very briefly about the position of my Government on the resolution before us. In the first place, we should like to suggest certain amendments which we believe would improve and clarify the resolution. It is not our purpose to complicate the situation at this time but we hope that the proposers of the resolution will be able to accept the following suggested changes.

First, we suggest that the first word of the fourth paragraph, the word "endorses" be deleted and there be substituted the words "takes note of". The purpose of this change is to remove any inconsistency between the fourth and fifth paragraphs. The request of the Acting Mediator was stated in

¹ Made on Nov. 4, 1948, and released to the press on the same date.

somewhat precise terms and, of course, could not reflect the discussions in the Council on the question of withdrawal, particularly the views expressed by the distinguished representative of France. That discussion has been reflected in the fifth paragraph. Although it is our view that the fifth and sixth paragraphs are the operative sections and the first four are preambulatory in character, nevertheless we believe it would be helpful to remove any misunderstanding which might arise on that point.

Secondly, we suggest there be added after the words "interested governments" in the fifth paragraph the following—"without prejudice to their rights, claims or position with regard to a peaceful adjustment of the future situation of Palestine or to the position which members of the Security Council may wish to take in the General Assembly on such peaceful adjustment". The purpose of this suggestion is to separate the issue of the truce from that of the final settlement. We believe there should be a clear understanding that the maintenance of a truce has from the beginning been without prejudice to the final political result and that we are not intending here in this resolution to prejudice in any way the political position of the parties or of the members of the Security Council.

Third, we believe that it might be helpful to substitute the following for the final paragraph:

"Appoints a committee of the Council, consisting of the five permanent members together with Belgium and Colombia to advise the Acting Mediator with regard to his responsibilities under this resolution, and in the event that either party or both should fail to comply with the preceding paragraph of this resolution, to study as a matter of urgency and to report to the Council on further measures it would be appropriate to take under Chapter VII of the Charter."

We make this last suggestion in order to afford the acting mediator an opportunity to consult a responsible body in connection with the very heavy responsibilities which are placed upon him by this resolution. Further, it would allow the committee to consider the situation in the light of chapter VII as a whole and would not restrict its work within the framework of article 41.

The one simple, clear element which has been constant throughout the tortuous history of the Palestine question before the United Nations has been the expressed determination on the part of the United Nations that, however men might differ about the final political result, such a result must be reached by peaceful means and not by war.

Today we are talking about a truce; we are not talking about the nature of a political settlement. When we talk about a truce, the parties are not merely Israeli and Arabs. There is another—and greater—party of interest, the entire international

community—the rest of the world. The interest of the international community in a peaceful settlement is paramount. Both great powers and small must confess to this overriding interest. It is fundamental to the Charter and is the principal reason for the very existence of the Security Council.

The General Assembly expressed itself on this aspect of the Palestine problem in its resolution of November 29, 1947, and, more particularly, in its resolution of May 14, 1948. The Security Council itself has devoted great effort to a truce, efforts which are reflected in resolutions of March 1, April 1, April 17, April 23, May 22, May 29, June 7, July 15, August 19, and October 19 of the present year. To these efforts have been added the loyal and devoted effort of the subsidiary bodies of both the Assembly and the Council which were given various responsibilities in Palestine. Many Governments Members of the United Nations supported these United Nations actions by strong counsel to the parties through diplomatic channels.

The result has not been a perfect truce, that one can claim; but the result has not been all-out war. No one of the parties has found that the truce has always satisfied their own particular desires; at one time or another, in the variety of local situations arising in various parts of the country, all parties have felt the truce as a restraint upon the temptation to exploit a local or temporary advantage. But no one can doubt that both Jewish and Arab peoples have greatly benefited from the cease-fire, imperfectly observed as it has been. Those who are immediately and emotionally involved are unwilling to confess such benefits, but the rest of the world community has no doubt of it.

The stake of the United Nations in this particular truce is established not only as a matter of principle but through the specific contributions made by the United Nations itself to the maintenance of a cease-fire. Servants of the United Nations, by the hundreds, have exposed themselves to hardship and danger in order to bring peace to Palestine. A number have lost their lives. Many Jews and many Arabs are alive today because of the disinterested and devoted efforts of these men who have had no other purpose than to save the peoples of Palestine from war. In addition, the peace-making efforts of the United Nations have required a most substantial material and financial outlay.

We believe it essential to continue the truce until arrangements can be made to replace the truce by a more permanent peaceful settlement. Indeed, without a truce, a peaceful settlement becomes impossible. We believe the present resolution is consistent with, and a necessary reinforcement of, the previous resolutions of the Security Council and of the General Assembly concerning the truce. The United States supported each of these early

ports to maintain a cease-fire in Palestine; we will, therefore, support the resolution now before which we hope will be adopted with the changes we have suggested.
In conclusion, I wish to repeat that we are dis-

cussing a truce, not a political settlement. Our action here in the Council is a necessary prerequisite to General Assembly consideration, but does not prejudice the result of such consideration in any way.

TEXT OF DRAFT RESOLUTION²

The Security Council,

HAVING DECIDED on the fifteenth July that, subject to her decision by the Security Council or the General Assembly, the truce shall remain in force in accordance with the resolution of that date and with that of twenty-ninth May 1948 until a peaceful adjustment of the future situation of Palestine is reached;

HAVING DECIDED on the nineteenth August that no party is permitted to violate the truce on the ground that it is undertaking reprisals or retaliations against the other party, and that no party is entitled to gain military or tactical advantage through violation of the truce; and HAVING DECIDED on the twenty-ninth May that, if the truce was subsequently repudiated or violated by either party or by both, the situation in Palestine could be recon- sidered with a view to action under chapter VII of the Charter;

Endorses the request communicated to the Government of Egypt and the Provisional Government of Israel by the acting mediator on the twenty-sixth October (S/1058) following upon the resolution adopted by the Security Council on nineteenth October 1948; and Calls upon the interested governments:

(1) To withdraw those of their forces which have advanced beyond the positions held on fourteenth October, the acting mediator being authorized to establish provisional lines beyond which no movement of troops shall take place;

(2) To establish, through negotiations conducted directly between the parties or failing that, through the intermediaries in the service of the United Nations, permanent truce lines and such neutral or demilitarized zones as may appear advantageous, in order to ensure henceforth the full observance of the truce in that area. Failing an agreement, the permanent lines and neutral zones shall be established by decision of the acting mediator; and

Appoints a committee of the Council, consisting of the five permanent members together with Belgium and Colombia, to examine urgently and report to the Council on the measures which it would be appropriate to take under article 41 of the Charter if either party or both should fail to observe the conditions prescribed in the two subparagraphs of paragraph 5 of this resolution within whatever time limits the acting mediator may think it desirable to fix.

Resolution on the Palestinian Question³

The Security Council

Having in mind the report of the Acting Mediator concerning the assassinations on 17 September of the United Nations Mediator Count Folke Bernadotte and United Nations Observer Colonel Andre Serot (document S/1018), the report of the Acting Mediator concerning difficulties countered in the supervision of the truce (document S/1022); and the report of the Truce Commission for Palestine concerning the situation in Jerusalem (document S/1023);

Notes with concern that the Provisional Government of Israel has to date submitted no report to the Security Council or to the Acting Mediator regarding the progress of the investigation into the assassinations;

Requests that Government to submit to the Security Council at an early date an account of the progress made in the investigation and to indicate therein the measures taken with regard to negligence on the part of officials or other factors affecting the crime;

Reminds the governments and authorities concerned that all the obligations and responsibilities

of the parties set forth in its resolutions of 15 July and 19 August 1948 are to be discharged fully and in good faith;

Reminds the Mediator of the desirability of an equitable distribution of the United Nations observers for the purpose of observing the truce on the territories of both parties;

Determines, pursuant to its resolutions of 15 July and 19 August 1948, that the Governments and authorities have the duty:

(a) to allow duly accredited United Nations Observers and other Truce Supervision personnel bearing proper credentials, on official notification, ready access to all places where their duties require them to go including airfields, ports, truce lines and strategic points and areas;

² The foregoing comments of Dr. Jessup were addressed to a draft resolution reported by the Security Council subcommittee on the Palestine question, which was made up of Representatives of China, France, the United Kingdom, Belgium, and the Ukrainian Soviet Socialist Republic. Only the latter country dissented from the opinion of the subcommittee in presenting the draft resolution.

³ U.N. doc. S/1045, Oct. 19, 1945, adopted at the 367th meeting of the Security Council on that date.

THE UNITED NATIONS AND SPECIALIZED AGENCIES

(b) to facilitate the freedom of movement of Truce Supervision personnel and transport by simplifying procedures on United Nations aircraft now in effect, and by assurance of safe-conduct for all United Nations aircraft and other means of transport;

(c) to co-operate fully with the Truce Supervision personnel in their conduct of investigations into incidents involving alleged breaches of the truce, including the making available of witnesses, testimony and other evidence on request;

(d) to implement fully by appropriate and prompt instructions to the Commanders in the

field all agreements entered into through the good offices of the Mediator or his representatives;

(e) to take all reasonable measures to ensure the safety and safe-conduct of the Truce Supervision personnel and the representatives of the Mediator, their aircraft and vehicles, while in territory under their control;

(f) to make every effort to apprehend and promptly punish any and all persons within the jurisdictions guilty of any assault upon or other aggressive act against the Truce Supervision personnel or the representatives of the Mediator.

Appeal to the Great Powers To Renew Their Efforts To Compose Their Differences and Establish a Lasting Peace¹

1. WHEREAS it is the essential purpose of the United Nations to maintain international peace and security and to that end it must co-ordinate its efforts to bring about by peaceful means the settlement of international disputes or situations which might lead to a breach of the peace,

2. WHEREAS the United Nations should be a centre for harmonizing the actions of nations in the attainment of this common end,

3. WHEREAS the United Nations cannot fully attain its aims so long as the recent war remains in process of liquidation and so long as all the peace treaties have not been concluded and put into force,

4. WHEREAS the Great Allied Powers, which bore the heaviest burden in the war and whose common sacrifice and effort were the prime cause of victory, have reaffirmed, on many solemn occasions, their determination to maintain and strengthen in the peace that unity of purpose and of action which has made possible the victory of the United Nations,

5. WHEREAS the aforementioned Allied Powers, which undertook at the second Moscow Conference responsibility for drafting and concluding the peace treaties, have not been able, after three years of effort, to obtain the full realization of their high mission by building a just and lasting peace,

6. WHEREAS the disagreement between the said Powers in a matter of vital importance to all the United Nations is at the present time the cause of the deepest anxiety among all the peoples of the world, and

7. WHEREAS the United Nations, in the performance of its most sacred mission, is bound to afford its assistance and co-operation in the settle-

ment of a situation the continuation of which involves grave dangers for international peace,

The General Assembly

1. *Recalls* the declarations made at Yalta on 11 February 1945 by Churchill, Roosevelt and Stalin, in which the signatories

"reaffirm our faith in the principles of the Atlantic Charter, our pledge in the Declaration by the United Nations, and our determination to build in co-operation with other peace-loving nations a world order under law, dedicated to peace, security, freedom and the general well-being of all mankind",

and proclaim that

"only with continuing and growing co-operation and understanding among our three countries, and among all the peace-loving nations, can the highest aspiration of humanity be realized—a secure and lasting peace which will, in the words of the Atlantic Charter 'afford assurance that all the men in all the lands may live out their lives in freedom from fear and want'";

2. *Endorses* these declarations and expresses its convictions that the Great Allied Powers will, in their policies, conform to the spirit of the said declarations;

3. *Recommends* the Powers signatories to the Moscow Agreements of 24 December 1945, and the Powers which subsequently acceded thereto, to redouble their efforts, in a spirit of solidarity and mutual understanding, to secure in the briefest possible time the final settlement of the war and the conclusion of all the peace settlements;

4. *Recommends* the aforementioned Powers to associate with them, in the performance of such a noble task, the States which subscribed and adhered to the Washington Declaration of 1 January 1942.

¹ Contained in U.N. doc. A/694, Oct. 26, 1948.

[November 8-13]

Balkan Committee

The Political and Security Committee adopted 48-6 vote on November 10 a resolution condemning the aid given to Greek guerrillas by Yugoslavia, Albania, and Bulgaria and providing continuation of the Greek border watch by the Special Committee on the Balkans. The six opposing ballots were cast by the Soviet bloc.

The resolution, submitted jointly by the United States, Britain, France and China, also calls upon Greece's northern neighbors to cease their support of the Greek guerrillas and cooperate with Greece for peaceful settlement of the Balkan dispute in accordance with previous Assembly recommendations.

In corollary action, the committee also adopted unanimously an Australian resolution calling for an immediate meeting in Paris, under Assembly auspices, of representatives of the four Balkan states to explore possibilities of agreement on methods to resolve their differences.

Both resolutions will be sent to the Assembly for final action.

Later, the committee began, at Soviet request, a paragraph-by-paragraph consideration of a Soviet resolution, and immediately rejected a paragraph of the resolution calling for dissolution of UNSCOP. It also turned down the preamble attacking "foreign interference" in Greece.

Two paragraphs of the Soviet resolution, calling upon Greece and her northern neighbors to establish diplomatic relations and renew frontier conventions, were approved unanimously.

The adopted resolution on continuation of UNSCOP provides that the U.N. body shall "have its principal headquarters in Greece, and with the cooperation of the government or governments concerned, shall perform its functions in such places as it may deem appropriate for the fulfillment of its mission."

Palestine

Final administrative details of the proposed \$9,000,000, nine-month program for relief of Palestine refugees are now being completed in a subcommittee of the General Assembly's Social Committee.

The subcommittee decided on November 10, by a vote of seven to three, to propose to the Assembly that the Secretary-General appoint a director of the relief program and that the Assembly President pick a seven-member committee to advise the Secretary-General on the program. The group had previously agreed that the plan for aid to Middle East refugees—sponsored by the United States, the United Kingdom, Belgium, and the Netherlands—would be carried out through a special

fund to be made up of contributions from Member Nations, the fund to be under the direct supervision of the Secretary-General.

Anticipating a delay in final establishment of the program, the Assembly's Budgetary Committee last week approved an advance of \$5,000,000 from the working capital to cover the cost of immediate aid. This sum is to be repaid from future contributions.

Meanwhile, the first shipment of relief supplies sponsored by the International Children's Emergency Fund has arrived at Haifa from the United States, aboard the *S. S. Skagway Victory*. In this shipment, the UNICEF included 4,540 kilograms of dried milk, 1,225 kilograms of cod-liver oil, 1,816 kilograms of margarine, and 200 of rice.

The supplies are to be sent to Haifa, Tel Aviv, and Nazareth, where they will be distributed to mothers and children among both Arab and Jewish refugees. Supervising the distribution is Dr. Jean Mabileau, Deputy Director of UNICEF for the Middle East. Dr. Mabileau declared, upon the arrival of the supplies at Haifa, that: "A major battle has just been won in Palestine. The winners are some 25,000 babies, nursing mothers, and pregnant women among the Jewish and Arab refugees living in the Jewish part of Palestine. And in this battle, there are for once no losers."

This UNICEF relief program is in addition to the more extensive aid project first proposed to the Assembly by Mrs. Franklin D. Roosevelt, U.S. Delegate, and now being worked out in the Social Committee. This larger program is intended to cover the almost 400,000 refugees not eligible for UNICEF relief. Still other efforts are being made in the United States by private organizations, such as the American Red Cross and National Children's Fund, to assist 500,000 homeless Palestinians whose plight was brought to world attention by Ralph Bunche, acting U.N. mediator for Palestine.

On November 10 several more suggestions for effecting peace in Palestine were added to the November 9 proposals of Ralph Bunche, acting U.N. mediator for Palestine. Dr. Bunche asked for an armistice, for separations of the contending forces by broad demilitarized zones and for ultimate withdrawal of and reduction of Jewish and Arab armed forces. He wanted the parties to negotiate only through the good offices of the mediator.

Dr. Bunche submitted a tentative plan for provisional truce lines later at the first meeting of a seven-nation subcommittee of the Council.

The committee, appointed by the Council November 4, comprises the five major powers plus Belgium and Colombia. At the start of the November 10 meeting, Dr. Roberto Urdaneta Arbelaez of Colombia was elected as chairman. The

THE UNITED NATIONS AND SPECIALIZED AGENCIES

task of the committee is to advise Dr. Bunche on Charter regulations respecting breaches of the peace and acts of aggression. This committee will meet again on November 12.

Economic Committee

Willard Thorp, U.S. Delegate to the Assembly and Assistant Secretary for economic affairs, again on November 10 emphasized in the Economic Committee that United States trade policies are directed toward full cooperation in world recovery.

The statement was in answer to charges made by Soviet bloc representatives in the committee, alleging discrimination by the United States in granting export licenses and in general trade policies.

In reply to the charge that the volume of American exports was proof of expansionist character, Mr. Thorp asked: "Is it expansionist to rebuild countries with which we normally compete?" and added: "We are helping to raise the level of agriculture in countries which are taking American agriculture products. The people who suffer because of exports from us are not the receiving countries. Those who suffer are the American taxpayers."

On the allegation that one of the foundations of the recovery program is the United States right to control export trade of participating countries, Mr. Thorp said: "We have heard of the lame effort on the part of the Polish Delegate to find in bilateral agreements justification for this conclusion. The French Delegate has already refuted this."

In recalling the recent Danube conference, which was dominated by the Soviet Union and its satellites, he noted: "The so-called convention, while allowing freedom of navigation on equal terms, makes use of port facilities subject to agreement with certain transport companies with no adequate safeguards against discrimination. In Hungary and Rumania joint shipping companies—half Soviet-owned—have a substantial monopoly on all port facilities. Without explicit

guaranties of nondiscrimination of the use of these facilities, the principle of freedom of navigation is meaningless."

Berlin Currency Problem

Secretary-General Tyrngve Lie is making a study of the currency problem in Berlin. In the connection he has consulted Mr. Evatt, and will consult Mr. Bramuglia on his return from London.

The Berlin currency problem is part of the Berlin issue, which was brought before the Security Council by the United States, France, and Great Britain. They charged that the Soviet blockade of the western sectors of the city constituted a threat to peace.

A resolution was drawn up by the six neutral members of the Council, calling for the immediate lifting of restrictions on traffic between Berlin and the four occupation zones in Germany and providing a procedure for unification of Berlin currency on November 20.

This resolution, accepted by the three Western Powers, was vetoed on October 25 by the Soviet Union and the case is still on the Council's agenda.

On November 13 Mr. Evatt and Mr. Lie submitted a communication to the Four Powers concerning asking for immediate conversations to resume negotiations on the present crisis and on the remaining peace settlement for Germany, Austria, and Japan.

CORRECTION

Functions of Control of Foreign Assets in United States Transferred

In the BULLETIN of October 10, 1948, page 47 appeared an item announcing the transfer of functions relating to the control of foreign assets in the United States from the Treasury Department to the Department of Justice. The caption, "Control of Foreign Assets in U.S. Ended", should have been changed to read "Functions of Control of Foreign Assets in U.S. Transferred".

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

Members of Tin Study Group To Consider Feasibility of Agreement

[Released to the press November 11]

The Department of State received on November 1 the following statement, released at The Hague on October 29, 1948:

"The International Tin Study Group held its third session at The Hague from the 25th to the 28th of October.

"The group had before it the report of the Working Party which had met in June. The purpose of this report was that it would be appropriate and practicable to conclude an international agreement on the lines set out in the report.

"The group modified these proposals in certain respects and has forwarded to the member governments a recommendation that after certain preparatory steps have been taken the member governments should be asked to inform the Secretary whether they would be disposed to enter into an agreement on the broad lines proposed and are willing to attend a conference to put the agreement into final form and to conclude it. If a sufficient number of affirmative replies is received, the Secretary General of the United Nations will be asked to convene an intergovernmental tin conference next spring."

Chairman of the United States Delegation to the Tin Study Group was Donald D. Kennedy, Chief, International Resources Division, Department of State.

Ward M. Canaday Becomes U.S. Commissioner of the Caribbean Commission

Ward M. Canaday took his oath of office as United States Commissioner and Chairman of the United States Section of the Caribbean Commission on November 5. The oath was administered by Stanley Woodward, Chief of Protocol, at the Department of State in the presence of a large group of associates and friends. Mr. Canaday was appointed by the President on October 30, 1948.

Mr. Canaday will attend the Third Session of the West Indian Conference, held biennially under the auspices of the Caribbean Commission, which will convene in Guadeloupe, F.W.I., on December 1, 1948, and the Seventh Meeting of the Caribbean Commission, which will be held concurrently with the West Indian Conference.

Mr. Canaday succeeds Charles W. Taussig of New York, who died on May 9, 1948. Mr. Taussig had been appointed by President Roosevelt in

November 14, 1948

March 1942 as United States Co-Chairman of the Anglo-American Caribbean Commission, which in December 1945 became the Caribbean Commission.

The Caribbean Commission, of which France, the Netherlands, the United Kingdom, and the United States are members, is a consultative and advisory body established to encourage and strengthen social and economic cooperation between the four metropolitan countries and their territories in that area.

U.S. Delegation to ILO Textiles Committee

The Department of State announced on October 28 the composition of the United States Delegation to the second session of the Textiles Committee of the International Labor Organization, which session opened October 26, at Geneva, as follows:

Government Representatives

Arnold L. Zempel, Associate Director, Office of International Labor Affairs, Department of Labor
Rene Lutz, Chief, Textile Section, Textile and Leather Branch, Department of Commerce

Adviser

Hersey E. Riley, Chief, Branch of Construction Statistics, Bureau of Labor Statistics, Department of Labor

Employers' Representatives

Herbert H. Schell, President, Sidney Blumenthal and Co., Inc., New York, N. Y.
Edwin Wilkinson, Assistant to the President, National Association of Wool Manufacturers, New York, N. Y.

Workers' Representatives

Anthony Valente, International President, United Textile Workers of America, Washington, D. C.
Francis M. Schaufenbil, Vice President, United Textile Workers of America, Lawrence, Mass.

The agenda for the meeting includes: (1) a general report dealing with action taken in the various countries to give effect to the resolutions of the first session of the Committee, held at Brussels in November 1946; (2) report on recent developments and events in the textile industry; (3) discussion of employment problems, with special reference to recruitment and training; and (4) problems of industrial relations.

The Textile Committee is one of eight industrial committees of the ILO established for the purpose of examining social and economic aspects of international labor standards in the respective industries and adopting resolutions for their improvements.

THE RECORD OF THE WEEK

Procedure for Transmitting Electors' Certificate

LETTER FROM THE ACTING SECRETARY OF STATE TO THE 48 GOVERNORS

[Released to the press November 3]

Acting Secretary Lovett on November 1, 1948, sent to the Governors of the 48 States a letter outlining the procedure laid down in the law for the receipt and transmission by the Department of State to the Congress of certificates of the appointment of the electors of the several States and of the votes of the electors.

Following is the text of the letter:

November 1, 1948

The Honorable

The Governor of

SIR: The laws of the United States relating to presidential elections require the performance of certain duties by State executives, electors of President and Vice President, and the Secretary of State of the United States. I send for your convenient reference copies of a publication of the Department of State entitled *Presidential Elections*, containing the relevant provisions of the Constitution and of the United States Code (Public Law 771-80th Congress). The number of copies transmitted is sufficient to enable you, if you so desire, to furnish one to each elector of your State and to each official having duties in that connection.

Title 3, Chapter 1, Section 6, United States Code, provides that the executives of each State shall, as soon as practicable after the conclusion of the appointment of electors in such State, communicate by registered mail, under the seal of the State, to the Secretary of State of the United States, a certificate of ascertainment of the electors appointed. This certificate shall set forth not only the names of the electors appointed and the votes received by each, but shall also list the names of all other candidates for elector of President and Vice President and the number of votes received by each of them. The Secretary of State of the United States is required to transmit copies of each such certificate to the two Houses of Congress. I shall therefore be grateful if you will be good

enough to furnish me with an original and exact copies of such certificate.

The law provides that the electors shall meet and give their votes on the first Monday after the second Wednesday in December next following their appointment, i.e. on December 13, 1948, that the counting of the electoral votes in Congress shall proceed on January 6, 1949 (Title 3, Chapter 1, Sections 7 and 15, United States Code).

Title 3, Chapter 1, Section 11, United States Code, imposes on the electors of each State the duty of forwarding by registered mail to the Secretary of State of the United States two certificates of the electors containing the two distinct lists of the votes of electors for President and for Vice President respectively, in the form prescribed in Section 9 thereof.

If no such certificate of vote and list has been received from the electors of any State by the President of the Senate or by the Secretary of State by the fourth Wednesday in December, at the meeting of the electors shall have been held, i.e. by December 22, 1948, it is provided that the President of the Senate, or, if he is absent from the seat of government, the Secretary of State, may request the secretary of state of the State to transmit by registered mail the certificate and list lodged with him by the electors of that State to the President of the Senate (Title 3, Chapter 1, Section 12). Under the same conditions, a like demand shall be made upon the judge of the District Court in which the electors shall have assembled for the certificate and list lodged with him by the electors of that State (Title 3, Chapter 1, Section 13).

It will be observed that for the performance of the duties imposed upon the Secretary of State of the United States by the provisions of law now under consideration it will be necessary that State executives and electors cooperate promptly and in this cooperation I earnestly request.

Very truly yours,

ROBERT A. LOVETT

Department of State Bulletin

American Architects Visit U.S.

Two professors of architecture, Alonso Mariscal and Eugenio Peschard Delgado, of the National University of Mexico City, have arrived in Washington to begin a two months' study of American methods of teaching architecture. Their visit here is being made under the travel-grant program of the Department of State.

Messrs. Mariscal and Peschard will visit the schools of architecture of Harvard and Columbia Universities, the Massachusetts Institute of Technology, the Illinois Institute of Technology, and the Chicago Art Institute.

THE FOREIGN SERVICE

Assignment of First Social-Welfare Attachés

[Released to the press November 4]

June 1948, a public-health attaché program inaugurated by the Department in cooperation with the Public Health Service of the Federal Health Agency. The purpose of that program is to carry public health and medical developments of the United States to other countries and to bring their current research and activities in these fields to this country.

Miss Evelyn Hersey, graduate of the Pennsylvania School of Social Work, formerly Assistant United States Commissioner of Immigration and Naturalization and, before that, service director for the American Committee for Christian Refugees, has left for her post as social-welfare attaché at New Delhi, India.

Mr. J. Fasteau, graduate of the New York School of Social Work, formerly supervisor of social service of the State Board of Child Welfare, New Jersey, and immediately prior to that, Chief of the UNRRA Mission to Finland, took up his post as social-welfare attaché in the American Embassy in Paris in May 1948.

The idea of having a few specialists in the field of social welfare attached to foreign posts at several points throughout the world originated several years ago. The idea grew from a recognized need of the Department of State and other governmental agencies for more technical information about social-welfare developments in foreign countries and a better knowledge of their relationship to the political and economic conditions of these countries. The Federal Security Agency, with its wide range of Federal social-welfare functions, has been the agency most instrumental in developing the social-welfare attaché program. Other Federal departments that have varying degrees of interest in the program are the Bureau of Prisons of the Department of Jus-

THE FOREIGN SERVICE

tice, the Department of Labor, the Office of the Administrator of the Housing and Home Finance Agency, and the Bureau of Human Nutrition and Home Economics of the Department of Agriculture. Nongovernmental agencies, which will find useful the kind of information which can be provided by these social-welfare specialists, include the American Association of Social Workers, the American Association of Schools of Social Work, the National Social Welfare Assembly, the American Council of Voluntary Agencies for Foreign Service, Inc., and the American Red Cross.

Although the functions of a social-welfare attaché vary according to conditions prevalent at the particular post, the duties include the following types of activity:

(1) Providing information for the Department and other governmental and voluntary agencies regarding social-welfare developments and conditions in foreign countries. Fields of interest include: social insurance, financial assistance to low-income groups, child welfare, care of the physically and mentally handicapped and the aged, vocational rehabilitation, and treatment of the delinquent and criminal and the social aspects of housing.

(2) Informing the Department and other governmental and private agencies about both official and unofficial attitudes in the country to which an attaché is assigned concerning the programs of international organizations in the social field, particularly the Economic and Social Council of the United Nations and its specialized agencies.

(3) Appraising the effect, as well as some of the welfare aspects of American overseas aid programs, both governmental and voluntary; facilitating and aiding in the coordination of the work of United States public and private welfare agencies engaged in overseas programs affecting that country.

(4) Serving as a consultant in the Embassy on social-welfare problems of United States citizens and alien dependents of citizens brought to the attention of foreign posts.

At the present time the program is limited to two attaché posts. As the program develops, it is hoped that, through a positive demonstration of the efficacy of the services which social-welfare attachés may provide, the number may be increased. The attachés are Foreign Service Reserve officers and are administratively responsible to the Ambassadors of the posts to which they are assigned and to the Director General of the Foreign Service. The social-welfare attachés, as is true for the labor attachés, receive technical guidance from the Division of International Labor and Social Affairs located in the Office of International Trade Policy under the Assistant Secretary of State for economic affairs.

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The Department of State

Bulletin

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NATURAL RESOURCES IN A WORLD OF CONFLICT

by Paul H. Nitze

Deputy to the Assistant Secretary for Economic Affairs

There is today widespread concern as to the adequacy of natural resources to support the world's increasing population. Malthus has come back into fashion, and Malthusian gloom permeates many of our discussions of trends in other parts of the world and of the effectiveness of the international policies we adopt. It will perhaps give a little perspective to this problem if I recall a talk I had with Sir Montagu Norman in 1932, when he was Governor of the Bank of England. I felt then that the basic problem in the world was overproduction, that technical advances in production had been so rapid that the world as a whole was experiencing a crisis arising out of almost universal overproduction. Moreover, he thought that such a condition would be chronic in the foreseeable future.

It seemed to me then, and it seems to me now, that Sir Montagu's analysis was only a partial analysis of an extremely complex pattern of interrelated factors and that he overemphasized the abundance of resources and ignored the possibility of a well-functioning economy and a great war, causing a scarcity of resources. It seems to me that there is an opposite danger of a partial analysis based on an assumption that this scarcity of natural resources will be extreme. Oversimplification is a constant hazard in this infinitely complicated field.

One point is crystal clear, however, and that is that we should not shy away from the facts. We should examine such facts as are available to us to the best of our ability. Then, having ascertained the facts, or at least as many as we can, we should develop a positive program of action that holds out realistic prospects of accomplishment and attempt to carry it out. Although we must not hesitate to

develop a program and carry it out, we must all the time maintain a certain degree of humility as to our ability to foresee how the various interrelated factors will in fact work themselves out. Unpredicted and unpredictable events abound, especially when human beings are involved, and this problem of the relation of man to his resource environment is just as much a human problem as it is a natural-resource problem.

Considering first the nonrenewable resources, one of the hard facts of life is that the minerals necessary for a highly developed civilization can be drawn from the earth in only limited quantities. Some are located at such depths, at such places, and in such combinations as to make them extremely difficult or even impossible to obtain. Furthermore, the minerals that we do know about and can get at without too much difficulty are distributed around the world in a haphazard fashion, from the point of view of human use.

It would be comforting if, once we got minerals out of the ground, we could keep on using them indefinitely. But there is much permanent loss, ranging from total loss, in the case of fuels, to only slight loss—for example, in the case of lead used in storage batteries. At present rates of consumption, there is an appreciable drain on the known mineral resources of the world.

The facts about renewable natural resources are more complex, but it seems to be generally agreed that unless thoroughgoing conservation measures are widely employed, erosion, soil exhaustion, deforestation, lower water tables, silting up of streams, and related developments will soon bring results which would be even more serious than the permanent loss of certain of our mineral resources.

Against these broad natural-resource facts we have the facts of population. The world's population increased from 400 millions in the sixteenth century to some 800 millions in the nineteenth, and is now estimated at approximately 2,200 millions. Population growth generally changes only slowly and as a result of complex factors. A substantial change in world population trends in the next few decades is not probable. Even a decline in the annual increments is unlikely for a considerable time to come. By the end of this century, the world's population may be close to 3 billion people.

The situation is quite different in various parts of the world. First, there are the countries of incipient population stability, namely the countries of Western Europe and North America. Second, there are the countries of transitional growth, including the Soviet Union, Eastern Europe generally, much of Latin America, and Japan. Third, there are the countries with a high growth potential, especially China and India.

Certain interesting comparisons can be made among these three types of countries. The first and second types each have one fifth of the population of the world; the third type has three fifths. In type 1, the median age is about 35 years and the life expectancy at birth is about 60 years; in type 2, the median age is about 25 years and the life expectancy is about 50; in type 3, the median age is about 20 years and the life expectancy is between 30 and 40 years. These are striking differences. Birth rates are falling rapidly in types 1 and 2, but not in type 3. Death rates are low and fairly constant in type 1, falling rapidly in type 2, and continuing high in type 3. The likely developments of the coming years, namely declining birth rates and low or declining death rates in the more advanced countries, but mainly declining death rates in the less developed areas, which already have well over half the world's population, will mean a somewhat smaller percentage of the world's population for the type 1, or, generally speaking, the western countries, and a somewhat larger percentage for types 2 and 3, especially 3. This is a political-economic fact, or probable fact, that must always be borne in mind.

It is clear that the United States will gradually come to have a smaller percentage of the people of the world. This may make our own problem of adaptation to limited resources easier than for

the world as a whole, especially in view of the high productivity of our people.

There is another important aspect of the population and resources problem, which is sometimes overlooked. During the last 100 years or so, production and consumption, as well as population, have increased greatly. At the same time democracy and popular education have advanced rapidly. The result has been a tremendous rise in aspirations for the good things of life, in the material as well as the spiritual realm, on the part of the great mass of people over the world. People are not satisfied with their present lot. They want more things to eat, wear, and enjoy now. "Pie in the sky by and by" seems to have less appeal than it perhaps once did. Moreover, people in many countries have sufficient political power to make their wants felt. Governments are under obligation to do something to improve the lot of the common man. Whether the resource base exists for providing the rapidly increasing populations with the high levels of physical consumption they desire is a real question. If not, political stability will depend to a considerable extent on people adjusting their consumption sights to something within the range of practical possibilities.

Another factor bringing pressure on natural resources is of course the need for military establishments. War is expensive in terms of natural resources as well as human, and the exhaustible mineral resources are especially hard hit in the day of industrialized warfare. The present moment is not a happy one for predicting an immediate decline in the military drain on resources.

It is too bad that there is not an annual or quinquennial volume that lists all the natural resources of the world and tells where they are and how much there is of them. Such a volume would probably not be generally accepted as authoritative and for a very good reason. Natural resources is in part a relative term. It has meaning only in the context of the potential use to which we think the resource can be put. The nitrogen in the air, the gold in the sea, or the minerals of the core of the earth are not counted as part of our natural resources. In a very real sense, resources do not exist unless we are resourceful enough to find ways and means of using them. Differences of opinion as to what resources exist and the technical and economic possibilities of converting them to man's

se are such as to make authoritative cataloging difficult.

The relativity of the concept of "natural resources" must always be kept in mind. For example, titanium, which was formerly important largely because it was an obnoxious impurity in steel manufacture, has in recent years become an important substitute for lead in the manufacture of paint, and now that an economical process has been found for refining it into a pure metal, titanium ore deposits, once a drug on the market, may come to have strategic significance.

During the war the Office of Imports of the Foreign Economic Administration was largely concerned with the procurement of strategic materials abroad and the preclusive buying of materials to deny them to the enemy. Some consideration was also given, however, to the foreseeable raw-materials problems which would arise during the peace. In that connection, our various commodity experts were asked to estimate the remaining world resources of the various metals and minerals which they were engaged in procuring. The most competent were generally the most reluctant to set a figure down in black and white because of the almost interminable qualifying footnotes that would have had to be added to explain exactly what the figure meant and what it did not mean.

Quite apart from this problem of the relativity of natural resources are two other stumbling blocks to adequate knowledge about the quantity of natural resources. One is that it takes a considerable amount of high-quality human resources and some other facilities to collect resource information. The other, a sad one, is that certain governments do not people who divulge even to their own citizens much about resources in their countries.

In spite of these difficulties, one can say something about the resource position of the world and the United States. It is convenient to continue the distinction between renewable and nonrenewable resources.

Of the renewable, nothing compares with soils in importance. The broad fact here is that topsoil builds up slowly, and through neglect and careless agricultural practices the world is losing a great amount of valuable topsoil. We in the United States, it is believed, take better care of our land than do people in many countries, though we are still behind a number of coun-

tries in soil-conservation practice. Despite this, the war and postwar years have seen tremendous accomplishments by United States agriculture, based on improved practices, better seeds, and new techniques that have made these accomplishments possible. Without them the United States would have been in no position to help other countries of the world avoid mass starvation and the resulting economic and political chaos.

The most immediate concern of the United States is the minerals field. In general this country is well endowed with mineral resources. It is this endowment which has, among other things, made it possible for the 7 percent of the world's population in the United States to produce 40 percent of the world's goods. Without this endowment we could not have shipped abroad some 140 million tons of military and other equipment during the war.

Today there are many shortages of mineral supplies in the United States. The Bureau of Mines has estimated our commercial mineral reserves in relation to the 1935-39 annual rate of use. The United States has no commercial reserves of flake graphite, quartz crystals, industrial diamonds, tin, and nickel. Our commercial reserves have been estimated at one year for chromite, 2 years for manganese, 3 for asbestos and mercury, 4 for platinum and tungsten, 7 for vanadium, 9 for bauxite, 12 for lead, 19 for zinc, and 34 for copper. Since that time prices have advanced substantially, probably throwing additional ore into the commercial class. On the other hand, further depletion has taken place, and the 1935-39 rate of use has been found to be at least 30 percent under current annual requirements, even with all the technological improvements in consumption that enable us to stretch our supplies.

The pressures arising from a growing shortage of high-grade mineral reserves are bound to have far-reaching effects on our domestic economy, and to some extent abroad. The case of the imminent exhaustion of the high-grade Mesabi iron ores is a good example. Already northern New York iron mines, once abandoned, are being reopened; experimental work is going forward rapidly in the beneficiation of lower grade iron ores; production from deposits in North Africa is increasing; projects are under way or under consideration in Brazil, in Venezuela, and in Liberia. The recov-

ery of iron and steel scrap has taken on a new importance, and negotiations have just been completed with the United Kingdom which should result in steel scrap moving from Germany to the United States. Improvements in the steel-making processes are being stimulated. The problem will be met, but only by the application of a vast amount of technical and other energies.

Similarly, in other segments of the metals field, serious problems are arising that require new technical developments, the substitution of a more plentiful metal for a less plentiful, more economical forms of utilization, and above all a far greater emphasis upon the recovery of scrap. In the long run we must reduce the wastage of nonrenewable resources to an absolute minimum. Such a reduction does not necessarily mean a halt in the increase in our standard of living; but it does mean a much more intelligent use of the resources which we have. As an illustration of what can be done, we remember our amazement and distress at discovering, just after the war, that Germany had been able to triple its war production between 1942 and 1945 with no substantial increase in its raw materials, but just by more efficient use of those materials. This effort was largely made by redesign of equipment and new techniques of production.

Our fuels are used up when they are burnt, and no recovery as scrap is possible. Fortunately, our coal reserves are very great, and by and large those of other countries are also of long life. Our oil reserves are not in such a happy position, although much has been done to improve extraction techniques. For the immediate future the rapid development of Middle Eastern reserves should ease the tight world petroleum situation. In the long run the problem would not be so great in the energy field if water, solar, atomic, or wind sources could be harnessed in adequate volume. It is clear that an increase in the energy base of the world economy is fundamental to sustained large-scale advance.

Up to this point only passing reference has been made to the ways of mitigating or actually improving what looks to some like the sad long-run plight of the human race. Now let us see what are or might become mitigating factors and how practicable they would appear to be.

Of the ways in which the seriousness of this world situation might conceivably be mitigated,

some are not within our power to do very much about at the present time. One is a rapid decline in population or even a rapid decline in the rate of increase of population. Another is large-scale movements of population. Another is a general reduction of people's desires for the things of this world which involve, directly or indirectly, drawing on scarce natural resources. A fourth is a significant reduction of the amount of resources going to military establishments.

There are certain other ways of mitigating the impact of resource shortages that it is within our power to do something about. Improved techniques for resource development and conservation, even on the basis of current knowledge widely applied, hold substantial prospects for mitigating the problem. The results of such application may not be estimated now statistically, but concern for natural resources would be much less panicky if existing knowledge were being fully put to practical use.

To accomplish this result, four basic things seem to be required. The first is knowledge; the second is wide dissemination of that knowledge; the third is the appropriate organizational techniques for efficiently implementing that knowledge; and the fourth is sufficient capital, or to put it another way enough excess of productive effort over current consumption to enable us to execute the actual projects involved.

On all four counts, the United States is in a favorable situation, compared with the rest of the world. We are fortunate in one further respect: the freedom from internal barriers within the United States to a free movement of knowledge, people, of goods, and of the capital necessary for resource development and conservation.

Optimum conservation and utilization of resources cannot, however, be adequately achieved by domestic measures alone, either in the United States or in any other nation. On the international front also there are important fields for action, involving international trade, international capital movements, and international diffusion of scientific and technical knowledge.

Consider trade first. Many of the particular resource shortages of the United States are today being met by imports from abroad. As resources are further developed in other countries, we hope that increased imports will be possible. The United States is today, however, exporting a

larger total volume of goods than it imports. This is true not only in a dollar sense but also in the sense of the resources that go into the goods purchased with these dollars.

At the time of the congressional consideration of the European Recovery Program, the capacity of the natural-resource position of the United States to withstand the drain involved was considered. After consideration, it was felt that we could stand the drain, and the program was approved. The point is, however, that there are practical limits to the extent to which we can export our resources without receiving comparable imports.

Reflecting our concern on this point, both the Executive Branch of the Government and the Congress felt it wise to attach to the rendering of economic assistance to Europe the condition that the recipient countries cooperate with us in making available reasonable quantities of materials expected to be in long-term short supply in the United States. Again, our stockpiling program is part of our attempt to insure adequate supplies of strategic resources in case international trade could be disrupted by war. In any commodity agreements we may negotiate, it is obvious that our special interest will be that available supplies could be adequate for our needs.

In the long run it is our belief that not only we but all other countries stand to benefit from a relatively free and equitable exchange of goods in international trade. The uneven distribution of resources of each country is to some extent overcome by such trade. This is a major purpose of the projected International Trade Organization.

The importance of international trade in this whole problem area is also a result of the greater international specialization of labor that it makes possible. Development is thus concentrated on the most economic resources, with higher living levels brought about by the resulting greater productivity in all areas. Greater productivity may not lessen the total drain on resources, but it certainly lessens the impact of growing populations on particular resources. International trade has never been developed sufficiently to permit us to judge how large a contribution it could make to well-being. It is tempting to believe that the difference in the levels of living between Western Europe and the United States derives to a very large extent from the existence of barriers to trade among the Western European states, in contrast to

the comparative lack of such barriers between the States of the United States. This belief, of course, lies behind our strong encouragement of European economic cooperation.

In spite of the importance of international trade, it is going to be difficult in the coming years to maintain a large and increasing volume of international trade. It will be an uphill struggle, even with a functioning International Trade Organization. Many countries believe that their economic salvation lies in less, rather than more, trade, because they think more trade increases their vulnerability to instabilities elsewhere, specifically depressions or wars, and because they think they can develop themselves internally more rapidly by insulating themselves to a considerable extent. In attempting both to insulate themselves from international economic instability and to develop as rapidly as possible, many countries severely limit their imports of certain products, compete avidly for such other imports as steel, machinery, and equipment needed for industrialization and already in short supply; and soon face internal inflation which kills their exports, industrial bottlenecks arising in their extraordinarily complex economic development, and a desperate need for large-scale external financial assistance.

Most of these countries are due for disappointment. True, the Soviet Union—with a tremendous variety of natural resources and an iron discipline—has achieved a certain degree of autarchy; but this is no sign that many other countries—most of them much smaller—can do the same. By and large, most other countries simply lack the necessary resources. Also, to their great credit, they have a much greater concern for the freedom and aspirations of the individual. It is to be hoped that these countries will see the economic light before they add to their misery by going down the rugged path toward an autarchy that is certain to be austere.

The second international approach to the problem of resource development and conservation is through larger movements of international capital. In many countries adequate domestic capital just is not available to carry out programs which are clearly indicated as being desirable.

With adequate safeguards, the international movement of capital benefits both the recipient and the investor, because it helps to develop new resources and makes possible better utilization of

existing resources. International capital flow tends to be accompanied by managerial and technical skills and the latest technological knowledge and machinery, and for this reason may contribute to a wide sector of the economy to which it moves. Our policy is to encourage the maximum free movement of international investment capital. We ourselves know the benefits of foreign capital, for much of our early American economic development was made possible only by foreign investors. Today, most of the demands for international capital are centered on the United States, and we have made vast sums available to other countries, either as regular loans, governmental and private, as direct investments by private corporations, or as gifts.

In general, the field of development of natural resources seems to us more appropriate for private investors than for the United States Government, and we have encouraged borrowers to go to private sources of capital wherever possible. Unfortunately, many borrowers are less eager for private capital than for governmental capital, although the latter is strictly limited in amount and in approved uses. As a result of the many barriers to the entry of private capital into other countries, many countries of the world today have had and are continuing to have a much smaller flow of investment capital than they might otherwise receive. The consequence of this situation, of course, is that their resources contribute less than they are able, both because they are relatively undeveloped and because they are being wastefully developed. To repeat, we are convinced that both lender and borrower gain from a wise investment of capital, and it is our policy to encourage the flow of private investment capital both in the interest of our own lenders and in the interest of the economic development and wise resource utilization of the borrowing countries.

It is impossible to mention the potential gain from moving capital across national boundaries so that it can maximize the productivity of labor and land in other countries, without touching at least briefly on the possibilities of moving people so that they can work with existing resources. It is fairly clear that some redistribution of people could raise the productivity of workers and hence the total world product, both in the primary industries and in others. Within the United States, for example, the mobility of our labor force is

one of the great sources of our economic strength. There are, however, numerous difficulties in the way of migration in many parts of the world, although some measures have been carried out in bringing workers from surplus areas to labor-shortage areas such as Canada, Australia, and Argentina.

The third and potentially most important international method of progressing toward these goals is the development, dissemination, and application of increasingly efficient technology. It is fair to say that the development of such techniques is far ahead of their application. This lag in application does not mean that we should slow up on development, but it underlines the imperative necessity of much more energetic measures to disseminate technical information on resource utilization and conservation. Much of this already takes place through private channels—through the press, the technical journals, the radio, the educational system, even the movies—and the more that can be done in this way the better. Certainly, we should help to destroy all governmental barriers not only to the free flow of news but also, so far as security considerations permit, of technical information. Capital rarely moves abroad these days without a substantial store of technical information and techniques moving with it, so our encouragement of capital flow is indirectly an encouragement to the diffusion of technical knowledge. A very interesting development of the last few years in this field has been the formation of development corporations, such as those in Latin America initiated by the Rockefeller interests, and the group working in Liberia under the aegis of former Secretary of State Edward Stettinius.

The times call for more than private communications and private capital, however, and there is widespread interest in and approval of governmental participation in the international sharing of one of our greatest resources—our knowledge of how best to utilize resources. United States Government funds in this field are administered through the Interdepartmental Committee on Scientific and Cultural Cooperation. A variety of technical missions and many interchanges of specialized personnel take place with the support of the Committee, one of whose guiding principles is the need to balance the development of physical resources with the development of human resources.

The Export-Import Bank provides engineers and technical advice in connection with the loans it extends. In addition, the Institute of Inter-American Affairs has worked out with many of our neighbors to the south a jointly supported and jointly operated device called the "Servicio", to assist in disseminating technical information and training, particularly in the health, agricultural, and educational fields. The Economic Cooperation Act provides specifically for the provision of technical and engineering assistance to participating countries in Europe. We are now experimenting with the assignment to our United States Embassies abroad of scientific attachés for the purpose of facilitating the exchange of scientific information and technology. Our Government—unlike those governments which censor not only the international transmission of information but even the expression at home of heterodox scientific opinion—our Government stands squarely behind the greatest possible development of completely objective science and technology, and its fullest possible sharing with other nations, except where security considerations prevent.

Many of the international organizations in which the United States participates have been or will be active in different phases of the dissemination of technical knowledge; for example, the Food and Agriculture Organization, the World Health Organization, the United Nations Educational, Scientific and Cultural Organization, and the Organization of American States. The United Nations, and particularly the Economic and Social Council, are also active in this field and coordinate the work of the specialized agencies. It was the Economic and Social Council that took the initiative in calling the United Nations Scientific Conference on the Conservation and

Utilization of Resources, scheduled for May 16–June 3, 1949. This multilateral approach is supplemented and reinforced by the active bilateral technical assistance programs mentioned above.

Over and above the specific foreign-policy questions raised by specific resource problems is the fact that one of the fundamental purposes of our foreign policy is that the United States play an appropriate role in establishing political and economic peace in the world. In implementation of that policy, we have given our full support to the United Nations and to the specialized international agencies, including the Monetary Fund, the International Bank, and the projected International Trade Organization.

We have supplemented these efforts by concrete and material assistance to almost all countries of the world, including the Eastern European countries, in recovering from the economic dislocations of the war. We have been the leading factor in halting the advance of that totalitarian aggression that feeds on economic distress and political chaos. Currently, our major effort is the task of completing economic recovery in Europe.

Finally, it is important to emphasize that the question of whether the world's resources will be adequate in the future to provide for essential human needs is to a large extent a matter of international relations. If there is no real settlement of the political and ideological tensions with which we are now afflicted, a large part of the resources which may be available will be wasted in maintaining huge security establishments or in the supreme waste of war itself. The full development of potential resources can occur only if international conditions are such as to facilitate the interchange of technical knowledge, the flow of goods, and the transfer of capital.

THE UNITED NATIONS AND SPECIALIZED AGENCIES

General Assembly Considers Steps for Reduction of Armaments

STATEMENT BY FREDERICK H. OSBORN IN COMMITTEE 1¹

U.S. Delegate to the General Assembly

The resolution on disarmament before the Committee refers to the fact that "the reduction of conventional armaments and armed forces can only be attained in an atmosphere of real and lasting improvement in international relations".

In my remarks today, Mr. Chairman, I should like to discuss what must be done to attain, first, this "atmosphere of real and lasting improvement in international relations" which we all desire, and, second, the facts about armaments in the world today.

Mr. Chairman, there has been too little analysis of why there is an atmosphere of fear and distrust in the world today. Soviet Representatives here, like their rulers in the Kremlin, seem to us to ignore the real causes for the present tension. They pass over lightly the history of the past three years. They seem to have forgotten the shift in their policies which has taken place since we were so recently comrades-in-arms, fighting side by side in a common cause.

During the war the American people sympathized with the Russian people, as we always have sympathized with a nation attacked by an aggressor. We gave the Soviet Union every help we could, without asking any questions.

The people of Russia fought heroically to defend their country. They were told that the war was a war of defense. They were not told that the war was about Communism. But after the war Stalin's interpretation of Communism was again made a major factor in international relations. It was only after the war that Soviet leaders reconstructed the dialectic of the early days of the revolution and with equal emphasis in 1947 and 1948 stressed the inevitability of a struggle between the Soviet brand of Communism and the so-called capitalist states. Examples of their present attitude are so numerous that they might be quoted for hours on end. Let me take only a single and very recent example. The New York Times of November 5th carries an article which states the following: In the current issue

of *Bolshevik*, organ of the Central Committee of the Communist Party of the Soviet Union, there is an extensive article which urges that the foreign Communist Parties transform themselves into revolutionary parties dedicated to preparing the way for armed revolt. According to the author, Mr. Burdzhakov, this is a return to the original Leninist doctrine. He quoted Prime Minister Stalin as saying that the parliamentary struggle was only a school for organizing the extra-parliamentary revolutionary means of struggle. Mr. Burdzhakov added that "direction of the revolutionary activities of the masses is the basic activity of the Communists". I will not go on with the rest of the article. But it is clear that such pronouncements, in which we may include Mr. Molotov's prediction of a year ago that "all roads lead to Communism", do not create an atmosphere of confidence.

Mr. Vyshinsky himself has not allayed our anxiety. He has quoted Lenin on "capitalist encirclement" and impressed upon us that Communism is the gravedigger of our so-called capitalism. These facts make clear that the Soviet Union is once again publicly professing the aim of world revolution.

Behind the tightly sealed borders of the Soviet state almost 10 percent of the world's people are kept ignorant of what goes on in the outside world. The people of the rest of the world are disturbed at the thought of what may be going on behind this veil of secrecy. They are forced to believe, from available information, that the Soviet Union has far more men under arms than any other nation.

With this strange background of arms and secrecy, the Soviet Union since the war has done things which have been bad for international relations.

The Soviet Union has forcibly annexed territory. The Soviet Union has destroyed the hopeful progress of representative government in the countries of eastern and central Europe. The Soviet Union has obstructed the negotiations of peace treaties with Germany and Japan. The Soviet Union has refused to accept the plan of the United Nations for the control of atomic energy and the prohibition of atomic weapons which 46 other na-

¹ Made on Nov. 11, 1948, and released to the press on the same date. Mr. Osborn is the Deputy U.S. Representative to the Atomic Energy Commission and is on the Commission for Conventional Armaments.

ons find acceptable in principle. Soviet Representatives have cast 28 vetoes in the Security Council, many of which specifically blocked the peaceful settlement of disputes. Their summary rejection of the neutrals' plan to settle the Berlin question is fresh in our memories. There is every evidence that the Soviet Union is actively trying to prevent the reconstruction and improvement of living conditions in western Europe.

These actions force us to believe that the Soviet Union is pursuing the aim of world revolution and of destroying the economic and political systems which other peoples have chosen for themselves. Thus the Soviet Union has created a spirit of inquietude in the rest of the world. The inquietude is made worse when the Soviet Union repeats over and over things that the rest of the world knows are not true.

It is pure nonsense to say that the United States desires to attack the Soviet Union. Any person who reads history knows that the people are masters of the government they have established in the United States; and that the people want peace. They would not permit a war of aggression. We constantly hear from the Soviet Union that the American "people" do not control their government. What nonsense! Certainly after the events of the past week Mr. Vyshinsky should know beyond the shadow of a doubt that the American people choose their leaders in free, unfettered elections and that no policy can be pursued which is not supported and sanctioned by the American people.

The Russian people themselves have no such opportunities to choose their own leaders. When they do, a milestone in human progress will have been attained.

In carrying out the mandate of the people, the United States has taken very specific steps to improve world confidence and to better the chances for peace.

The United States has offered to give up the atomic bomb, to turn over all its atomic plants to an international agency, and to accept the prohibition of atomic weapons under the conditions of strict control approved by the overwhelming majority of this General Assembly.

The United States, believing that lasting peace demands healthy economic conditions, has put into effect and is cooperating with the countries of western Europe in a program of economic reconstruction and rehabilitation. This cooperative enterprise has been closed to no nation and its terms have been dictated by no nation.

The United States has exerted its efforts to strengthen the United Nations. We are fully participating in all of its agencies. By contrast, the Soviet Union has refused to participate in most of the specialized agencies of the United Nations. I am not trying to fix the blame or credit for

these things. I am only trying to place before you the facts as they appear to us in the United States and also apparently to most of the people of western Europe.

On the basis of these facts, it seems clear that we will not attain "an atmosphere of real and lasting improvement in international relations" as a prerequisite to disarmament, as required by this resolution, until the Soviet Union, not only by its words but in its actions, ceases to threaten the world with Communist aggression.

I now come to the facts about armaments. A realistic discussion of disarmament must be based on consideration of the status of the present production of armaments by the different nations as well as on their arms and armies. Let us consider first the state of arms production.

Much detail has been published in all the Western nations which shows the amounts of money now being spent on producing various types of arms for ground forces and air forces and naval forces. These sums of money are published in budgets voted by congresses or parliaments. And in the Western countries, budgets are scrutinized meticulously and frequently criticized and contested by elected representatives of the people.

The Western states, after enormous expenditures during the war, have reduced their appropriations for the production of arms and for military forces to a relatively normal peacetime figure. I am most familiar with United States statistics. At the peak of the war years, American military expenditures were more than 80 billion dollars a year. Today, three years later, and taking into account those military expenditures forced upon us by present conditions of world insecurity, the United States is spending approximately 13 billion dollars for defense purposes, or less than one sixth of the amount during a war year. Altogether, at the present time, the United States is spending approximately 6 percent of its total national income on defense.

The reduction in the number of men in our Army, Navy, and Air Force was even greater: from more than 12 million on June 30, 1945, to well less than a million and a half on December 31, 1947.

Immediately after the destruction of the Japanese and German armies, the overwhelming weight of American production, which had been concentrated on our common enemies, was turned at once to the peacetime uses of the American people. In addition, the industrial production of the American worker has provided goods and foodstuffs to help countries which had been occupied during the war, in order to restore their peacetime economies. These deliveries of goods and foodstuffs abroad were made through the contributions of the United States to the United Nations Relief and Rehabilitation Administration, and more recently through the Marshall Plan.

Such a peaceful use of our productive capacities was a clear expression of the basic desire of the people of the United States. This desire remains unchanged. The American people want to produce for peace and not for war. But they are not ready to jeopardize their security. When during the past three years they realized that other nations remained heavily armed, indeed, appeared to be rearming, they took the steps necessary for their own protection. They began diverting some part of their production to defense. They did so with reluctance. They did so by necessity, not by choice. They realize only too well that any such decision means a corresponding reduction in the materials available for the economic and social improvement which is the road to world stability and to world security.

At the present time, 94 percent of the total national income of the United States is directed to peaceful purposes. This is the productive power which, when turned to other uses, has made the United States so powerful in two world wars. But it takes time to turn it from peaceful use into production for war. Its present use is clear evidence of our peaceful intent.

Now let us look for a moment at Soviet production of military supplies and at the Soviet armies. The Soviet Union does not follow the example of the countries of the Western world in publishing details regarding the strength of its armed services, or of monies spent on armaments. The Soviet Union does not have a congress or parliament containing an opposition free to analyze, dispute, and seek confirmation of government figures. We must therefore use the best published estimates available.

On the basis of such estimates, it appears that in the Soviet Union approximately 16 percent of the national income is now turned to munitions and the support of vast armies; which is more than double the proportion spent in the United States, or, indeed, in other Western European countries. This is a strange situation. The Russian people do not want war. The Soviet leaders do not need to convince us of that. The Russian worker, like the American worker, wants peace, security for his family, and the opportunity to improve his situation in life. We recognize that the Soviet Union has made progress in reconstruction and rehabilitation since the end of the war. In spite of the iron-clad restrictions placed on the travel of foreigners in the Soviet Union, our representatives there have seen an improvement in living conditions for Soviet citizens. But we know also that these conditions are not improving more rapidly because so much of the production of Soviet factories is going into war materials. This represents a huge drain away from peacetime improvements.

In order that the Soviet worker may accept this situation, he is kept in the fear and dread of war

by the government itself. He depends for his information upon his government-controlled and strictly censored press, radio, stage, and cinema. He hears only the news his rulers wish him to hear. It is distorted for their own purposes.

When Mr. Vyshinsky makes one of his violent speeches in a session of this General Assembly every word he utters is printed in *Pravda*, *Izvestia* and the newspapers throughout the vast Soviet Union. His speech of October 13 took up a large part of three successive issues of the leading Moscow papers. We have no objection to that—the verbatim texts of Mr. Vyshinsky's speeches appear in the American press. But the Soviet citizen seldom, if ever, gets the chance to read the text of a speech by a representative of a Western power. Instead he can read only brief, tendentious, distorted reports of such speeches which effectively prevent him from getting an accurate picture of our debates here. As an example of such distorted and inaccurate reporting, the Moscow papers of October 13 stated that in Ambassador Austin's speech of October 12 he had made "a whole series of slanderous statements founded on the forged documents of the Hitlerites and used early this year by the United States State Department". I need only comment in passing that not one single sentence of that speech came from a German document. Stalin's congratulatory telegram to Ribbentrop, which Mr. Vyshinsky implied was a forged document, was published at the time in the Soviet press and in Communist newspapers throughout the world, including the issue of December 28, 1939, of the *Daily Worker*.

I am sometimes gravely apprehensive, Mr. Chairman, that the Russian man-in-the-street may not be the only Soviet citizen holding a warped and twisted view of the world outside the borders of the Union of Soviet Socialist Republics. My misgivings arise from statements made in this committee by Mr. Vyshinsky and by recent public statements emanating from Moscow. I am led to wonder whether the rulers of the Soviet Union, the members of the Politburo themselves, may not come to believe the frightening and false propaganda picture of a world wanting to attack their country. I hope such is not the case, and I am reluctant to believe it so. I trust that the members of the Politburo, if not the Russian people, will have access to and will read carefully the verbatim records of this session of the General Assembly. If they are not then convinced of the good faith of non-Communist nations represented about this table and of the fact that these nations are not planning and will not undertake aggressive war against the Soviet Union, then I say these gentlemen are blind and impervious to the truth.

The Soviet citizen yearns for a better life. He would hope that he might live in less crowded conditions, that he might buy better clothes for his family, more books for his children, and even some

f the modern electrical appliances—toasters, irons, and refrigerators, which are beginning to appear on the shelves of Moscow department stores. The Soviet citizen would hope that the millions of political prisoners working in mines and factories might be replaced by free workers freely hired. He would hope that he might have freedom of choice in his work and place of employment.

But the Soviet Government through all its organs of publicity is telling the Soviet worker that he cannot have these things because the Western nations are threatening him with another war.

We may well ask, why does the Soviet Government tell its people things that no other people, no other nation, believes to be true? Why is it that the Soviet Government demands such a terrible sacrifice from the Russian people? Is it because the rest of the world is even more heavily armed and therefore is dangerous to the Russian people? Again, let us look at the facts as they are available.

It is our understanding from published figures which the Soviet Union has not denied, that the Soviet Union has under arms at the present time forces totaling around four million men, and its associated states another two million. Taking into account the proportion between service troops and combat troops and the size of Soviet divisions, this number would mean considerably more than 250 divisions of combat troops for the Soviet Union and the states under its control.

The Soviet states apparently have available combat troops at least five times more numerous than those of all Western European states put together. And bear in mind that it is combat troops which are the weapons of conquest and occupation. It is only the foot soldiers who can conquer, occupy, and subjugate the territory of neighbors. The rulers of the Soviet Union know this. They learned it from the Germans.

A reduction of one third would not change the disproportion in Soviet armies. So it would not relieve the anxieties of other nations. If the reduction in Soviet armies were to be carried out in secret behind the Soviet borders it would not remove from other nations the element of suspicion which is such a bar to peace.

Permit me again, Mr. Chairman, to underline one of the most fundamental points in this problem. How can we know which of the nations should reduce or have reduced their arms by one third or by one half or by three fourths without basic knowledge on which to make our decision, and without real knowledge of what goes on behind the Iron Curtain? How can we decide the relative strength of one nation vis-à-vis another, in terms of numbers of men and types of arms? We must have basic information.

The Soviet Union seems to look upon this elementary principle as an evil plot of non-Communist

states to spy out the Soviet land. The United States is built on the principle of national sovereignty and no nation asks another to do what it is not willing to do itself. Information in our countries is already available; in the Soviet Union it is not. The Soviet Representatives dare to deny the existence of the Iron Curtain. But Soviet citizens and diplomats in the United States have always been free to travel in our countries wherever and however they like; while the Soviet Union, except for three or four specified cities, is now hermetically sealed to the representatives of other governments as it is to their citizens. Even foreign diplomats are categorically prohibited from traveling beyond 50 kilometers from Moscow. They are not now allowed to set foot in eight districts within the 50 kilometer radius. They are thus literally imprisoned within the city limits of Moscow. The fact that these restrictions were imposed during this session of the General Assembly unfortunately does not testify to the present desire of the Soviet Government for cooperation and mutual understanding.

I repeat, none of us asks the Soviet Union to do more than our own governments are willing to do. But we fail to see how progress toward disarmament can be made until we all accept the basic, elementary principles of a mutual exchange and verification of information.

Let me return to consider that "improvement in international relations" which I mentioned at the beginning. How can we bring this about?

By accepting the principles of the Charter of the United Nations the Soviet Union pledged itself to cooperation for peace in the world community. Can it be that the Soviet Union, having signed the Charter, at the same time believes that war is inevitable unless some of the members of the United Nations change their systems of government?

Here then are the realities of the situation. The Soviet Union is heavily armed; it is at present kept in a position to carry on an aggressive war for the continuance of its conquest of the territory of other nations. The Soviet Union is spending a larger proportion of its manpower and its resources in preparation for war than are the Western nations. It is the Soviet Union alone that is carrying on a shrill government-directed propaganda to prepare its people for war. The Soviet Union alone is working behind a veil of secrecy. How then can the rest of the world disarm?

In this situation we meet to consider what steps might be taken by the General Assembly in the hope of bringing about a reduction of arms, and a sense of security among the peoples of the world. The Soviet proposal for a reduction of one third in the armaments of the five major powers without any verification would not bring about this result.

(Continued on page 641)

Progress Report on Conditions of Refugees in Near East

[Released to the press November 4]

Ralph Bunche, United Nations acting mediator for Palestine, on October 18, 1948, submitted to the United Nations a progress report¹ on the conditions of refugees in the Near East. In his report he made reference to the statements of the late mediator, Count Bernadotte, who wrote on September 18:

The choice is between saving the lives of many thousands of people now or permitting them to die. The situation of the majority of these hapless refugees is already tragic, and to prevent them from being overwhelmed by further disaster and to make possible their ultimate rehabilitation, it is my earnest hope that the international community will give all necessary support to make the measures I have outlined fully effective. I believe that for the international community to accept its share of responsibility for the refugees of Palestine is one of the minimum conditions for the success of its efforts to bring peace to that land.

The acting mediator stated that the situation of the Palestine refugees is now critical, and the urgency of the need for assistance has been accentuated. He further stated that, unless adequate and effective aid comes quickly, the position of the refugees will become desperate within a few weeks. In his report he recalled that the figures cited in September on this situation tentatively placed the number of Arab refugees at 360,000, and the number of Jewish refugees at 7,000. He stated that the figure for Jewish refugees remains the same, but the figure for Arab refugees must be revised upwards to 472,000. The acting mediator called to the attention of the United Nations the critical shortage of food, the immediate need for clothing, and the fact that some 95,000 are without shelter of any sort.

The report of the acting mediator is borne out by numerous reports from American missions in the Near East. The refugees have been dependent upon the limited funds which they brought with them from their homes, and upon the resources of the governments in the states where they took refuge. Both of these sources are now almost completely exhausted. The situation is most critical in Palestine and Transjordan. It is estimated that 84,000 refugees in central Palestine are still without shelter, and roads are lined with people encamped

¹ U.N. doc. A/689, Oct. 18, 1948, and A/689, Add. 1, Oct. 19, 1948.

under trees or in the open. Hospital facilities are totally inadequate to meet the need; in one area of Palestine 20 suspected cases of typhoid were sent back from a nearby clinic to sleep under the tree because of the lack of hospital beds and medicines. In southwestern Syria, refugees average 20 to 30 in a fair-sized room. The infant mortality rate is high in this area, and no physician is regularly available. In many areas, preventive inoculation against diseases have not been undertaken because the limited supplies of vaccines must be reserved to fight actual outbreaks of disease.

The situation is particularly critical because the refugees include an unusually high proportion of "vulnerable" groups: it is estimated that 12 percent consist of infants; 18 percent are from 3 to 5 years of age; 36 percent are from 6 to 18 years of age; over 10 percent are pregnant women and nursing mothers; and 8 percent consist of aged, sick, and infirm people. The vulnerable total is, therefore, approximately 85 percent of the refugee population.

With a view to alleviating the increasingly critical conditions of Palestinian refugees of all communities, the United States Delegation to the General Assembly, in conjunction with the delegations of the United Kingdom, Belgium, and the Netherlands, introduced a resolution on October 29, 1948, calling for a United Nations program for the relief of Palestinian refugees. The acting mediator has estimated that a program to meet the minimum needs of these refugees until the next harvest is reaped will cost about \$30,000,000. The proposed resolution urges all Members of the United Nations to make voluntary contributions to meet this need, and calls upon the specialized agencies and voluntary organizations for supplies and personnel to assist in relieving the desperate plight of these refugees. The Department of State is deeply hopeful that the General Assembly will act speedily on this resolution.

American voluntary agencies have contributed supplies and funds for the relief of these refugees during the past few months and it is hoped that their efforts will continue to meet with success. The American Red Cross has already contributed large quantities of medical supplies and other items and has recently made a further contribution of blankets and clothing. The American Appeal for Holy Land Refugees, with headquarters at the Near East Foundation, 54 East 64th Street, New York, is continuing to mobilize American voluntary efforts.

Department of State Bulletin

Reports of the United Nations Special Committee on the Balkans¹

The General Assembly,

1. **HAVING CONSIDERED** the Reports by the Special Committee established by Resolution 109 (II):

2. **HAVING NOTED** the conclusions of the Special Committee and in particular its unanimous conclusion that, despite the aforesaid Resolution of the General Assembly, "the Greek guerrillas have continued to receive aid and assistance on a large scale from Albania, Bulgaria and Yugoslavia, with the knowledge of the Governments of those countries" and that the Greek guerrillas in the frontier zones have, as found by the Special Committee:

(1) "Been largely dependent on external supply. Great quantities of arms, ammunition and other military stores have come across the border, notably during times of heavy fighting. Strongly-held positions of the guerrillas have protected their vital supply lines from Bulgaria, Yugoslavia and, in particular, from Albania. In recent months, there has been less evidence of receipt of supplies from Yugoslavia by the guerrillas".

(2) "Frequently moved at will in territory across the frontier for tactical reasons, and have thus been able to concentrate their forces without interference by the Greek Army, and to return to Greece when they wished".

(3) "Frequently retired safely into the territory of Albania, Bulgaria and Yugoslavia when the Greek Army exerted great pressure".

3. **HAVING NOTED** further the conclusions of the Special Committee that a continuation of this situation "constitutes a threat to the political independence and territorial integrity of Greece and to peace in the Balkans" and "that the conduct of Albania, Bulgaria and Yugoslavia has been inconsistent with the purposes and principles of the Charter of the United Nations";

4. **HAVING NOTED** the recommendations submitted by the Special Committee;

5. *Considers* that the continued aid given by Albania, Bulgaria and Yugoslavia to the Greek guerrillas endangers peace in the Balkans, and is inconsistent with the purposes and principles of the Charter of the United Nations.

6. *Calls* upon Albania, Bulgaria and Yugoslavia to cease forthwith rendering any assistance or support in any form to the guerrillas fighting against the Greek Government; including the use of their territories as a base for the preparation or launching of armed action;

7. *Again calls* upon Albania, Bulgaria and Yugoslavia to co-operate with Greece in the settlement of their disputes by peaceful means in accordance with recommendations contained in Resolution 109 (II);

8. *Calls* upon Albania, Bulgaria and Yugoslavia to co-operate with the Special Committee in enabling it to carry out its functions and upon Greece to continue to co-operate toward the same end;

9. *Recommends* to all Members of the United Nations and to all other states that their Governments refrain from any action designed to assist directly or through any other government any armed group fighting against the Greek Government;

10. *Approves* the activities of the Special Committee to date, continues it in being with the functions conferred upon it by Resolution 109 (II) and instructs it:

(a) To continue to observe and report on the response of Albania, Bulgaria and Yugoslavia to the General Assembly injunction not to furnish aid to the Greek guerrillas in accordance with General Assembly Resolution 109 (II) and the present Resolution;

(b) To continue to utilize observation groups with personnel and equipment adequate for the fulfilment of its task;

(c) To continue to be available to assist the Governments of Albania, Bulgaria, Greece and Yugoslavia in the implementation of Resolution 109 (II) and of the present Resolution;

11. *Authorizes* the Special Committee to consult, in its discretion, with the Interim Committee (if it is continued) with respect to the performance of its functions in the light of developments;

12. *Requests* the Secretary-General to provide the Special Committee with adequate staff and facilities to enable it to perform its functions.

The United States in the United Nations

[November 13-19]

Control of Armaments

The General Assembly declared on November 9 that all nations should possess "exact and authenticated" data on the arms and armed forces of other nations and that "real and lasting improvement in international relations" is required before measures for international disarmament can be safely instituted.

The world body so declared by adopting the Belgian resolution on disarmament accepted by

the great majority in the Assembly Political Committee on November 13. The vote in the General Assembly was 43 to 6 with the Soviet and other Eastern European countries opposing.

John Foster Dulles, U.S. Delegate, termed the Belgian resolution a "sound foundation for the control of armaments."

¹ U. N. doc A/C. 1/352, Oct. 26, 1948, draft resolution by China, France, the U.K., and the U.S.

The resolution specifies that a condition for regulation and reduction of arms and armed forces is effective atomic controls under which atomic weapons will be banned. It calls on the Security Council's Conventional Armaments Commission to develop disarmament plans to be effected when the desired improvement in international relations is brought about and atomic controls are instituted. It calls for cooperation of all members of that Commission, which comprises the Security Council membership.

Under the majority proposal, the Commission's first task would be the formulation of procedures for checking and publishing data on national armaments.

Mr. Vishinsky, the Soviet Delegate, re-echoed his statement of November 13 that the Soviet Union would submit armaments data only to an international control agency. The Soviet resolution, which was rejected by a vote of 38 to 6 on November 13 by Committee I, however, made no provision for verification. In past discussions the Soviet Union has opposed verification by an international organ of data submitted by individual governments.

The Soviet proposal also called for prohibition of atomic weapons under an international control agency within the framework of the Security Council. However, this aspect was dealt with previously when the Assembly decisively endorsed the Atomic Commission plan for an international agency with broad powers to supervise all atomic materials and facilities to insure atomic energy for peaceful uses only.

Implementation of this atomic plan has been blocked by Soviet contention that it would usurp national prerogatives and generally open the way for interference by the rest of the world, and the United States in particular, with the Soviet economy.

Speaking for the Belgian resolution on disarmament, Mr. Dulles emphasized that the first requirement "is the ability to obtain complete and accurate, verified and comprehensive" information on world armaments.

"That ability would itself create confidence and avoid the present risk that nations will create armaments in order to meet the imagined armaments of others," Mr. Dulles observed, adding: "Ignorance, fear and suspicion can breed an armaments race that will itself be provocative of war".

Referring to Soviet objections, Mr. Dulles stated:

"Some nations in the name of sovereignty refuse to accept international controls. They contend national promises and national reports ought to be an acceptable substitution for international control and international verification. The fact is national promises and unverified official reports will not serve to allay suspicion. History has too

often proved their unreliability . . . Suspicion and fear will persist unless there are effective international controls. Any nation that refuses to do what is in fact necessary to allay fear and suspicion is itself a contributor to conditions that breed war."

Palestine Refugee-Aid Plan

A \$29,500,000 relief program for the half-million Palestine war refugees was approved unanimously on November 19 by the General Assembly. The program, which is based on a proposal made by the United States, Britain, Belgium, and the Netherlands, also provides for an immediate advance of \$5,000,000 from working capital to start supplies flowing to the Near East refugee camps.

The \$29,500,000, plus an additional \$2,500,000 for administrative and operational expenses would be raised through voluntary contributions from Member and non-Member states, and the \$5,000,000 advance is to be repaid from this total amount.

The program is to extend for nine months, ending on August 1, 1949, when the next harvest is expected to bring improved conditions.

The Assembly also authorized the Secretary-General to appoint a director for Palestine refugee relief. He is to be assisted by a seven-member advisory committee.

Berlin Currency Problems

As the President of the Security Council, Juan A. Bramuglia, pressed for a solution to the Berlin controversy by seeking to find agreement for the currency problem, U.S. Secretary of State Marshall on November 18 summoned to Paris financial and monetary experts from Washington and Berlin.

They will assist the U.S. Delegation in preparing answers to a questionnaire which President Bramuglia submitted to the Western powers and to the U.S.S.R. in his latest move to solve the impasse over Berlin. The questionnaire asks primarily for technical information on how to obtain Big Four control of the Soviet mark in Berlin.

Both Mr. Bramuglia and the Secretary-General have experts examining the currency question. The United States, hopeful that the studies will be coordinated in such manner as to avoid duplication, has expressed willingness to cooperate with either Mr. Bramuglia or Mr. Lie but has emphasized that its prime interest is in the Security Council's efforts.

As indicated in the August 30 directive agreed on at Moscow between envoys of the three Western powers and Soviet leaders, the United States always has been ready to seek a solution of the Berlin currency problem. Likewise, the United States assumes that the introduction of the Soviet

one mark as the currency for all of Berlin under our Power control is technically feasible.

Assembly Approves Permanent Headquarters Report

In a plenary meeting, the General Assembly on November 18 unanimously approved Secretary-General Lie's report on establishing permanent headquarters in New York City and noted with satisfaction the United States agreement to lend the international organization \$65,000,000 for building.

Interim Committee

The United States on November 17 called for continuation of the Interim Committee for another experimental year and urged all members, including the Soviet bloc, to cooperate in the body's work.

The Interim Committee, set up to expedite and maintain continuity of Assembly work between regular Assembly sessions, has concerned itself mostly during the past year with study of the veto problem and advising the Korean Commission.

Great Britain, India, the Dominican Republic, and Ecuador were among others supporting continuation of the Interim Committee and calling for participation by all members. Poland, however, reiterated its opposition.

Discussion of the Interim Committee's future was the first item on the agenda of the new *ad hoc* committee which was created to relieve the Political Committee of some of its work. On November 10 the Committee voted 44 to 6 to extend the Interim Committee for another year.

Palestine Armistice Proposal

The Security Council on November 16 called on Israel and the Arab States to draw up an armistice covering all parts of Palestine. It adopted paragraph by paragraph a Canadian-sponsored resolution directing the warring parties to negotiate directly or through United Nations acting mediator, Ralph Bunche, regarding the establishment of demarcation lines and withdrawal or reduction of armed forces to insure maintenance of the armistice pending permanent settlement in Palestine.

Eight of the Security Council's member nations voted for the armistice order, with Syria opposing the operative part and the U.S.S.R. and the Ukraine abstaining. The Council rejected a Syrian amendment aimed at extending to Galilee, northern Palestine, a previous order for withdrawal of Israeli forces in the Negev desert area. Only Syria, China, and Belgium supported this plan.

The armistice directive was approved after a Soviet resolution which would have called for immediate establishment of formal peace in Palestine was rejected.

Philip Jessup, United States Deputy Represent-

ative, termed the Soviet measure not yet practicable; however, he supported the armistice resolution, terming it the first transitional step from a truce to permanent peace.

Committee I Rejects Invitation to North Korea Delegates

An attempt by the Soviet and Eastern European countries in Committee I (Political and Security) to have representatives of the so-called North Korean Peoples Government invited to participate in forthcoming discussion of the Korean question was rejected on November 15 by a vote of 38-0, with six abstentions.

The Committee supported the contention of the U.S. Delegate, John Foster Dulles, that the U.N. Temporary Commission on Korea, as a kind of "credentials Committee", should be heard first. Mr. Dulles also reminded committee members that the U.N. Commission had been denied entrance to the northern, or Soviet zone of Korea, where the "Peoples Government" was established through "elections" which the Commission was not permitted to observe.

A nine-member delegation from the Republic of Korea whose capital is at Seoul in South Korea has made a formal request to participate in Committee and Assembly discussions of the Korean question.

Balkan States Discuss Greek Dispute

Representatives of Albania, Bulgaria, Yugoslavia, and Greece in Paris held their first joint discussions with U.N. mediators on November 15 in an effort to settle the Balkan dispute through direct negotiation.

After having met separately with the U.N. officials on November 12, representatives of Greece and her three northern neighbors met collectively with the mediators for the first time. Officials serving as mediators were Herbert Evatt, President of the General Assembly, Secretary-General Trygve Lie, and Selim Sarper of Turkey, Rapporteur of Committee I.

Trusteeship

The Assembly acted on November 18 on several resolutions relating to trusteeship of dependent areas. Two that were approved call on administering powers to accelerate progressive development toward self-government or independence of the trust territories under them. Another urges nations to increase the expenditure for education of the inhabitants of territories for which they are responsible and to provide free primary schooling for all. A fourth recommends that the Trusteeship Council investigate every aspect of the question of administrative unions between trust territories and adjacent political entities and suggest any safeguards it deems necessary to preserve the "distinct political status" of trust territories.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

U.S. Delegations to International Meetings

ILO: Petroleum

The Department of State announced on November 9 that the following are representing the United States at the Second Session of the Petroleum Committee of the International Labor Organization (ILO) which opened on November 9 at Geneva for a period of approximately ten days.

GOVERNMENT REPRESENTATIVES

Delegates

Arnold L. Zempel, Associate Director, Office of International Labor Affairs, Department of Labor
David E. Longanecker, Assistant Chief, Petroleum Division, Department of State

Alternate Delegate and Adviser

Robert E. Friedman, Associate Director, Oil and Gas Division, Department of the Interior

Adviser

Hersey E. Riley, Chief, Branch of Construction Statistics, Bureau of Labor Statistics, Department of Labor

EMPLOYERS' REPRESENTATIVES

Delegates

John C. Quilty, Manager of Industrial Relations, Shell Oil Company, Inc., New York City
C. Francis Beatty, Director, Socony-Vacuum Oil Company, Inc., New York City

Advisers

Channing Rice Dooley, Training Within Industry Foundation, Summit, N.J.
Valentine H. Ludwig, General Manager, Employee Relations Department, Gulf Oil Corporation, Pittsburgh, Pa.
James W. Rees, Assistant Vice President, Pure Oil Company, Chicago, Ill.
R. B. Roaper, Director of Safety, Humble Oil and Refining Company, Houston, Tex.

WORKERS' REPRESENTATIVES

Delegates

Charles A. Evans, Business Representative of Local Union No. 12, International Union of Operating Engineers, Los Angeles, Calif.
Alexis E. Laster, International Representative, International Union of Operating Engineers, El Monte, Calif.

The agenda for the meeting includes: (1) a general report dealing with the action taken in the various countries to give effect to the resolutions of the first session of the Committee, held at Los Angeles in February 1947, and recent events

and developments in the industry; (2) discussion of recruitment and training for the petroleum industry; (3) report on safety and health; and (4) the problem of industrial relations in the industry as effecting trade-union organization and recognition, developments in collective bargaining, and actual methods for handling disputes.

The Petroleum Committee is one of eight industrial committees of the ILO established for the purpose of examining social and economic aspects of international labor standards in the respective industries and adopting resolutions for their improvement.

British Parliamentary Association

[Released to the press November 12]

United States congressional representatives to the British Parliamentary Association meeting which convened at Hamilton, Bermuda, on November 15 left Washington on November 13.

The chairman of the United States Delegation is Senator Alexander Wiley of Wisconsin. Also included are Senators Bourke B. Hickenlooper of Iowa and Elbert D. Thomas of Utah, all members of the Senate Foreign Relations Committee, and Senator J. William Fulbright of Arkansas. The chairman of the House Delegation is Representative Henry O. Talle of Iowa, the remainder including Estes Kefauver of Tennessee, Senator-elect from that state, and Robert J. Corbett of Pennsylvania. In Bermuda they were met by heads of the Bermuda Government and United States consular officials on duty there.

This is the third such parliamentary conference attended by representatives from all the British Commonwealth Parliaments and delegates from the United States Congress which has been held in the Western Hemisphere. The first meeting took place during the war in Ottawa, Canada, and another conference was held again two years ago in Hamilton, Bermuda.

Heading up the list of British Delegates are John Wilmot, M.P., former Minister of Supply from the United Kingdom, Senator J. T. Haig, K.C., leader of the Progressive Conservative Party in the Canadian Senate, and Vernon H. Treatt, K.C., leader of the Opposition in New South Wales, Australia. Delegates are also in attendance from New Zealand, the Union of South Africa, and Bermuda.

Air Navigation in Southeast Asia

The Department of State announced on November 10 the United States Delegation to the first International Civil Aviation Organization (ICAO) Regional Air Navigation Meeting for the Southeast Asia Region, convening at New Delhi, India, November 23, 1948, for an approximate duration of three weeks.

Chairman

Clifford P. Burton, Chief of the Technical Mission, Civil Aeronautics Administration, Department of Commerce

Vice Chairman

Wesley B. Bakke, Flight Operations Specialist, Civil Aeronautics Board

Alternates

James F. Angier, Chief of the Foreign Section, Civil Aeronautics Administration

Norman R. Hagen, Meteorological Attaché, American Embassy, London

Victor J. Kayne, Airways Operations Specialist (ICAO), Civil Aeronautics Administration

W. F. Nicholson, Representative, Flight Operations (ICAO), Civil Aeronautics Administration

Comdr. Clement Vaughn, Jr., Search and Rescue Agency, United States Coast Guard

Edwin L. White, Chief, Aviation Division, Federal Communications Commission

Advisers

William B. Becker, Operations Division, Air Transport Association

Gene L. Brewer, Airways Radio Specialist (ICAO), Civil Aeronautics Administration

Capt. Etheridge Grant, USN, Head, Civil Aviation Branch, Department of the Navy

Col. Grover C. Johnson, Civil Liaison Branch, Hq., Military Air Transport Service, Department of the Air Force

Clinton E. Modin, representing Aeronautical Radio, Inc., and Pan American Airways, Calcutta, India

George L. Rand, airways operations specialist, representative for International Telecommunications—ICAO regional organizations, Civil Aeronautics Administration

Capt. Arthur Yorra, Chief, International and Interdepartmental Advisory Group, Hq., Air Weather Service, MATS, Department of the Air Force

Secretary of Delegation

Stephen V. C. Morris, Division of International Conferences, Department of State

About 20 governments are attending this meeting which is examining problems of air navigation and operations in the Southeast Asian region. The delegates are preparing a plan of aids to navigation and are recommending navigation practices to raise the standards of civil aviation in the region to those advocated by the ICAO Council. The meeting is following the usual pattern of regional meetings of the ICAO and the principal committees formed include aerodromes, air routes and ground aids, air-traffic control, flight operations, communications, meteorology, and search and rescue. The practices and procedures recommended by the meeting in these fields are being forwarded to the

Council of ICAO at Montreal for consideration and approval.

A Fact Finding Group convened at New Delhi approximately a week prior to the regional meeting in order to examine and document operational data for the convenience and use of the main meeting.

The Southeast Asia meeting is the ninth in the original series of ten regional meetings scheduled by ICAO to survey aviation facilities throughout the world. Upon the completion of the series ICAO expects to have an index of facilities needed by international civil aviation on all the important air routes of the world.

The preceding regional meeting, the North Pacific Air Navigation Meeting, was held at Seattle in July. The remaining regional meeting projected by the ICAO is the African-Indian Ocean Meeting.

Fourth Session of FAO

The President appointed on November 13 Charles F. Brannan, Secretary of Agriculture, as United States Member and Chairman of the United States Delegation to the Fourth Session of the Conference of the Food and Agriculture Organization of the United Nations. This meeting opened in Washington, D.C., on November 15, 1948. Named by the President to serve as Alternate United States Members were: Albert J. Loveland, Under Secretary of Agriculture; Fred J. Rossiter, Associated Director, Office of Foreign Agricultural Relations, Department of Agriculture; and Edward G. Cale, Associate Chief, International Resources Division, Department of State.

The President appointed also the following five congressional advisers to the Delegation: George D. Aiken, United States Senate; Elmer Thomas, United States Senate; S. Otis Bland, House of Representatives; Harold D. Cooley, House of Representatives; and Clifford R. Hope, House of Representatives.

Other members of the United States Delegation as announced on November 13 by the Acting Secretary of State are as follows:

Advisers

Edward W. Allen, United States Commissioner, International Fisheries Commission and International Pacific Salmon Fisheries Commission

Andrew W. Anderson, Chief, Branch of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior

Stanley Andrews, Food Agriculture and Forestry Representative, OMCUS

Miss Persia Campbell, Vice Chairman, National Association of Consumers

Wilbert M. Chapman, Special Assistant to the Under Secretary, Department of State

Philip V. Cardon, Administrator, Agricultural Research Administration, Department of Agriculture

Charles R. Carry, Director, Fishery Products Division, National Canners Association

ACTIVITIES AND DEVELOPMENTS

John H. Davis, Executive Secretary, National Council of Farmer Cooperatives
Mrs. Ursula Duffus, Economic, Financial and Communications Branch, Division of United Nations Economic and Social Affairs, Department of State
Foster F. Elliott, Associate Chief, Bureau of Agricultural Economics, Department of Agriculture
Carl N. Gibboney, Deputy Director, Commodities Division, Office of International Trade, Department of Commerce
Tom H. Gill, Society of American Foresters
Albert S. Goss, Master, The National Grange
George Mason Ingram, Acting Chief, International Administration Staff, Office of United Nations Affairs, Department of State
Charles E. Jackson, General Manager, National Fisheries Institute
William A. Jump, Director, Office of Budget and Finance, Department of Agriculture
William A. Minor, Jr., Assistant to the Secretary, Department of Agriculture
Wesley R. Nelson, Assistant Commissioner, Bureau of Reclamation, Department of the Interior
W. Raymond Ogg, Director, Department of International Affairs, American Farm Bureau Federation
James G. Patton, President, National Farmers Union
Miss Hazel K. Stiebeling, Chief, Bureau of Human Nutrition and Home Economics, Department of Agriculture
Ralph S. Trigg, Administrator, Production and Marketing Administration, Department of Agriculture
Lyle F. Watts, Chief, Forest Service, Department of Agriculture
Oris V. Wells, Chief, Bureau of Agricultural Economics, Department of Agriculture
Miss Faith M. Williams, Director, Office of Foreign Labor Conditions, Bureau of Labor Statistics, Department of Labor
Milburn L. Wilson, Director, Extension Service, Department of Agriculture

Technical Secretary

James O. Howard, Head, Division of Foreign Agricultural Information, Office of Foreign Agricultural Relations, Department of Agriculture

Executive Secretary

Henry F. Nichol, Division of International Conferences, Department of State

Since the first three sessions of the Conference were devoted primarily to problems of organization, the Fourth Session should mark an important step in the direction of devoting these annual meetings to discussion on world food problems and to specific proposals to deal with these problems.

It is expected that 57 member countries and a number of international organizations will be represented at the Fourth Session. Also a number of national organizations have been invited to attend open sessions of the Conference.

The meeting is concerned mainly with: (1) the world situation relating to the production, marketing, and consumption of food and agricultural products, including fish and timber; (2) the technical activities of the Organization during the past year and its program of work for 1949; and (3) major constitutional, administrative, and financial issues requiring decision by the Conference, including financial problems and the permanent site of FAO headquarters.

In regard to the headquarters site, the United States Government has recommended Washington as the permanent headquarters for the Organization and has made proposals concerning several available sites. President H. C. Byrd of the University of Maryland, after consultation with Governor William P. Lane, Jr., of Maryland, has offered a site and assistance in financing a building on the campus. Copenhagen and Rome have also made offers.

UNESCO: General Conference:

President Truman designated on November 10 five United States Representatives and five alternates to the Third Session of the General Conference of the United Nations Educational, Scientific and Cultural Organization (UNESCO), which convened at Beirut, Lebanon, on November 17.

United States Representatives

George V. Allen, Assistant Secretary of State for public affairs, and Chairman of the Delegation
Milton S. Eisenhower, President, Kansas State College, Manhattan, Kans., and Vice Chairman of the Delegation
Luther H. Evans, Librarian of Congress
Waldo G. Leland, Director Emeritus, American Council of Learned Societies
Anne O'Hare McCormick, *New York Times*

Alternates

Kathleen Lardie, Division of Instruction of the Detroit Public Schools, Detroit, Mich.
W. Albert Noyes, Jr., National Research Council, Washington, D. C.
Frederick D. G. Ribble, Dean, School of Law, University of Virginia, Charlottesville, Va.
Joseph Rosier, President Emeritus, Fairmont State Teachers College, Fairmont, W. Va.
George F. Zook, President, American Council on Education, Washington, D. C.

Special Adviser to the Chairman

Charles A. Thomson, Director, UNESCO Relations Staff, Department of State

Advisers

Herbert J. Abraham, Assistant Director, UNESCO Relations Staff, Department of State
Esther C. Brunauer, Assistant Director, UNESCO Relations Staff, Department of State
Ben M. Cherrington, Director, Social Science Foundation, University of Denver, Denver, Colo.
John Duffy Connors, Director, Workers Education Bureau of America, New York, N. Y.
Samuel De Palma, Division of United Nations Economic and Social Affairs, Department of State
Frederick Sherwood Dunn, Yale University, New Haven, Conn.
Frank Grasso, Secretary-Treasurer, United Paperworkers of America, Washington, D.C.
Michael Richard Hanna, Cornell University, Ithaca, N.Y.
George Kenneth Holland, Counselor on UNESCO Affairs, American Embassy, Paris
Charles M. Hulten, Deputy Assistant Secretary for Administration, Department of State
Kendric N. Marshall, Director, Division of International Educational Relations, United States Office of Education
Richard P. McKeon, University of Chicago, Chicago, Ill.
Otis E. Mulliken, Division of United Nations Economic and Social Affairs, Department of State

Stephen B. L. Penrose, President, American University, Beirut, Lebanon
 George D. Stoddard, President, University of Illinois, Urbana, Ill.
 Louise Wright, Director, Chicago Council on Foreign Relations, Chicago, Ill.

Executive Secretary of the Delegation

Henry J. Sabatini, Division of International Conferences, Department of State

In accordance with the UNESCO constitution, the Executive Board of UNESCO, at its meeting at Paris last February, prepared the draft agenda for the Third Session of the General Conference. Among the items on the agenda are: (1) report of the Director-General on the activities of the Organization in 1948; (2) consideration of reports submitted by member states in 1948; (3) discussion of certain items in the program for 1948 and of new activities proposed for 1949; (4) the Organization's budget; (5) matters which have been raised by member states, the United Nations, or other specialized agencies; (6) organizational questions including the National Commissions of UNESCO; (7) election of seven members to the Executive Board; (8) appointment of the Director-General; (9) consideration of recommendations of the Executive Board concerning the admission of new members to the Organization; and (10) consideration of recommendations of the Executive Board concerning the admission of observers of international governmental organizations to the Third Session of the General Conference.

The First Session of the UNESCO Conference was held at Paris in 1946, and the Second at Mexico City in 1947. Forty-four member countries are expected to send representatives to the Third Session.

UNESCO's Executive Board, on which George D. Stoddard is United States Representative, will meet at Istanbul prior to the opening of the Beirut Conference.

The UNESCO program in the United States is largely the responsibility of the United States National Commission for UNESCO, established by law to advise the Department of State on matters relating to UNESCO. Milton S. Eisenhower is Chairman of the National Commission, which is composed of representatives of 60 national organizations and some 40 members selected as individuals active in UNESCO's fields of education, science, and culture.

Second Inter-American Congress on Brucellosis

Dr. James H. Steele, Chief of the Veterinary Public Health Section, States Relations Division of the United States Public Health Service, was appointed on November 12 Chairman of the United States Delegation to the Second Inter-American Congress on Brucellosis, held at Mendoza and Buenos Aires November 17-26, 1948. Dr. C. K. Mingle of the Tuberculosis Eradication Division of the Bureau of Animal Industry,

Department of Agriculture, was named delegate.

The Brucellosis Congress, called by the Pan American Sanitary Bureau, is discussing the epidemiology of the disease and proposes measures for its control. Brucellosis, as it affects humans, is popularly known as "undulant fever" and "Malta fever". It is transmitted to human beings through animals. According to the Department of Agriculture, the disease among animals results in monetary losses of approximately 90 million dollars a year in this country. It has been even more widespread in some of the Latin American countries.

The Congress meets first at Mendoza from November 17-20 for discussions on the control of the disease; it reconvenes at Buenos Aires from November 22-26 for sessions on the clinical aspects and research developments. The First Inter-American Congress on Brucellosis was held in October 1946 at Mexico City.

Reduction of Armaments—Continued from page 633

It would perpetuate the present Soviet superiority in aggressive forces. It would not reduce the threat of Soviet aggression; it might indeed increase that threat. It would not raise the veil of secrecy behind which the rulers of the Soviet Union operate and which constitutes such an injustice to the Russian people and such a cause of suspicion among nations.

In this situation the General Assembly should seek by every possible means a release from the tensions arising from the factors we have here described. In the field of armaments the General Assembly should develop as rapidly as possible under the forms and through the agencies set up in the United Nations for that purpose a plan for the reduction and control of conventional arms and armaments. Such a plan should provide a full system of inspection, verification, and publication and other safeguards to guarantee against violation. Having set up such a plan, we may hope that the moral force of world opinion, together with the evident advantages of operating within the law in cooperation with other nations, may bring the Soviet Union to change its attitude. This is the proposal embodied in the resolution now before this committee. The United States will vote for this resolution and will work loyally toward carrying out its purposes.

Real progress toward peace can only be made by slow, careful steps. I have not despaired and I hope none of us in this committee has despaired. The resolution before us takes us one step toward the control of armaments and toward those other objectives we all seek. I hope that the unanimity which came as a breath of fresh air when we accepted the Mexican resolution, will again come to us here.

THE RECORD OF THE WEEK

Announcement of Intention To Enter Tariff Negotiation

The Interdepartmental Trade Agreements Committee issued on November 5 formal notice of the United States intention to participate in negotiations with 11 foreign countries for reciprocal reduction of tariff and other trade barriers, looking toward accession of those countries to the General Agreement on Tariffs and Trade concluded at Geneva on October 30, 1947, by the United States and 22 other countries. The forthcoming negotiations are scheduled to begin at Geneva on April 11, 1949. Plans for the negotiations were developed, and the date was set, at the second session of the contracting parties to the General Agreement, held at Geneva in August and September of this year. Announcement of these plans was made on September 22, 1948.¹

The 11 countries which have expressed their desire to accede to the General Agreement and to participate in the forthcoming negotiations are: Denmark, the Dominican Republic, El Salvador, Finland, Greece, Haiti, Italy, Nicaragua, Peru, Sweden, and Uruguay. The countries which participated in the 1947 negotiations were: Australia, Belgium, Brazil, Burma, Canada, Ceylon, Chile, China, Cuba, Czechoslovakia, France, India, Lebanon, Luxembourg, the Netherlands, New Zealand, Norway, Pakistan, Southern Rhodesia, Syria, the Union of South Africa, the United Kingdom, and the United States. All of these countries except Chile had put the General Agreement into provisional effect by July 31, 1948.

The countries participating in the 1947 negotiations and the additional countries expected to participate in the 1949 negotiations together account for some two thirds by value of total United States exports and almost three fourths of United States imports, on the basis of 1947 figures.

The Trade Agreements Committee also made public on November 5, as required by Executive Order No. 10,004 of October 5, 1948, a list for each country with which the United States proposes to negotiate, of all products imported into the United States on which possible tariff concessions may be considered in the negotiations. The practice of publishing such lists has been followed since 1937.

The procedure to be followed by the United States Government in preparing for and carrying out the negotiations is in line with that which has been followed in previous trade-agreement negotiations, with such modifications as are made necessary by the Trade Agreements Extension Act of

1948. Under section 4 of the Trade Agreement Act of 1934, as amended, interested persons are afforded an opportunity to present their views concerning the proposed negotiations. Executive Order 10,004 designated the Committee for Reciprocity Information as the agency to receive such views. The representative of the Department of Commerce on the Trade Agreements Committee is the chairman of the Committee for Reciprocity Information.

The Committee for Reciprocity Information announced November 5 that public hearings will be held beginning December 7. Applications to be heard at the public hearings will be received until November 29, and the application must indicate the product or products, or other aspect of the negotiations, regarding which testimony is to be presented. The closing date for receiving written briefs and statements will be December 7.

In accordance with the Trade Agreements Extension Act of 1948 the lists of products on which possible United States tariff concessions may be considered have been transmitted by the President to the Tariff Commission which is required to investigate, hold hearings, and report to him within 120 days, in regard to each such item, (1) the extent to which United States tariffs or other import restrictions may be reduced without causing or threatening serious injury to the domestic industry producing like or similar articles; and (2) what, if any, additional import restrictions would be required to prevent such injury.

Since the statute specifically imposes on the Tariff Commission the obligation of holding its own hearings, parties who wish to be assured that their information will be considered by the Tariff Commission, must present it directly to the Commission either at the hearings or in writing before the close of the hearings.

In order to minimize duplication, arrangements have been made so that information submitted to the Tariff Commission in written statements and at public hearings, in accordance with its rules of practice and procedure, other than that which has been accepted by the Commission as confidential, will be made available to the Committee for Reciprocity Information. Thus, persons wishing to testify only with respect to articles on the public lists may, but need not, appear before the Committee for Reciprocity Information. However, those persons wishing to present information concerning possible import concessions different

¹ BULLETIN of Oct. 3, 1948, p. 445.

from that presented to the Tariff Commission or wishing to present views with respect to export concessions to be obtained by the United States should present their information to the Committee for Reciprocity Information.

The hearings to be held by the Tariff Commission and those to be held by the Committee for Reciprocity Information will run concurrently, but the hearings relative to particular commodities will be scheduled so as to avoid conflict in cases of persons wishing to appear at both hearings.

No United States tariff concession will be made in any import product not appearing on the lists made public November 5 unless it is subsequently included in a supplementary published list. Inclusion of a given product on such a published list does not necessarily mean that a concession is to be made on that product. Recommendations by the Trade Agreements Committee to the President on concessions to be offered will not be made until after the information received through the Committee for Reciprocity Information and the Tariff Commission has been studied, together with all other data available to the trade-agreements organization. Concessions actually made will, of course, depend on the outcome of the negotiations. The lists of possible concession products made public November 5 are based upon the language of the Tariff Act of 1930. The published lists do not include the rates of duty now in effect on the items

enumerated. Those rates are shown in *United States Import Duties (1948)* and Supplement 1 thereto, published by the Tariff Commission. Copies of these documents and of the published lists of possible concession products may be obtained at the Tariff Commission, the Department of State, the Department of Commerce, and from the district and regional offices of the Department of Commerce.

Each new country which completes tariff negotiations with existing contracting parties will accede, in its own right, to the concessions negotiated by those contracting parties in 1947. Furthermore, each new acceding country must extend to all other countries with which it has completed tariff negotiations, in their own right, all concessions which it negotiates in the forthcoming meeting. In this connection, it should be borne in mind that such extension of previously negotiated concessions is a bargaining factor in the forthcoming negotiations.

The General Agreement includes the so-called escape clause, required by executive order, which permits the United States to modify or withdraw a concession if it is found that, as a result of unforeseen developments and of the concession, imports are entering this country in such increased amounts and under such circumstances as to cause or threaten serious injury to the domestic industry producing like or similar products.

Procedure To Be Followed by the United States

Committee for Reciprocity Information

Trade-Agreement Negotiations with Denmark, Dominican Republic, El Salvador, Finland, Greece, Haiti, Italy, Nicaragua, Peru, Sweden, and Uruguay; possible adjustments in preferential rates on Cuban products

SUBMISSION OF INFORMATION TO THE COMMITTEE FOR RECIPROCITY INFORMATION

Closing date for application to be heard, November 29, 1948.

Public hearings open, December 7, 1948.

Closing date for submission of briefs, December 1948.

The Interdepartmental Committee on Trade Agreements has issued on this day a notice of intention to conduct trade-agreement negotiations with each of the following countries: Denmark, Dominican Republic, El Salvador, Finland, Greece, Haiti, Italy, Nicaragua, Peru, Sweden, and Uruguay. Annexed to this public notice are lists of articles imported into the United States to be considered for possible concessions in the negotiations with each of the above countries.

It is stated by the Trade Agreements Committee

that it is proposed to enter into these negotiations with a view to the accession of the countries named above as contracting parties to the General Agreement on Tariffs and Trade. The Trade Agreements Committee has also announced in such notice that, in the case of an article in one or more of these lists with respect to which the corresponding product of Cuba is now entitled to preferential treatment, a modification of the rate in the negotiations referred to will involve the elimination, reduction, or continuation of the preference, perhaps in some cases with an adjustment or specification of the rate applicable to the product of Cuba.

The Committee for Reciprocity Information hereby gives notice that information and views in writing in regard to the foregoing proposals with respect to any of the named countries (including areas for which any of these countries has authority to conduct trade-agreement negotiations) shall be submitted to the Committee for Reciprocity Information not later than 12:00 noon, December 7, 1948, and all applications for oral presentation of views in regard thereto, including a statement as to the import product or products, if any, on which the applicant wishes to be heard, shall be submitted to the Committee for Reciprocity Infor-

mation not later than 12:00 noon, November 29, 1948.

Such communications shall be addressed to "The Chairman, Committee for Reciprocity Information, Department of Commerce, Washington 25, D. C.". Ten copies of written statements, either typewritten or printed, shall be submitted, of which one copy shall be sworn to.

Public hearings will be held before the Committee for Reciprocity Information, at which oral statements will be heard. The first hearing will be at 10:00 a. m. on December 7, 1948, in the auditorium of Department of Commerce Building at 14th and E Streets, N. W., Washington, D. C. Witnesses who make application to be heard will be advised regarding the time and place of their individual appearances. Appearances at hearings before the Committee may be made by or on behalf of those persons who have within the time prescribed made written application for oral presentation of views. Statements made at the public hearings shall be under oath.

Persons or groups interested in import products may present to the Committee their views concerning possible tariff concessions by the United States on any product, whether or not included in any of the lists annexed to the notice of intention to negotiate which has been issued by the Trade Agreements Committee, and concerning any other matters relating to the proposed negotiations. Copies of these lists may be obtained from the Committee for Reciprocity Information at the address designated above and may be inspected at the field offices of the Department of Commerce. As indicated in the notice of intention to negotiate, no tariff concession will be considered on any product which is not included in a list annexed thereto unless it is subsequently included in a supplementary public list.

Persons or groups interested in export products may present their views regarding any tariff or other concessions that might be requested of any of the foreign governments with which it is proposed to undertake trade-agreement negotiations.

A written statement submitted to the Committee for Reciprocity Information may relate to articles contained in one or more of such lists or to other matters relating to the proposed trade-agreement negotiations with one or more of the countries listed above, and oral statements may also relate to one or more such lists or negotiations, subject to any scheduling that may be made by the Committee in advising as to the time and place of individual appearances.

By direction of the Committee for Reciprocity Information this 5th day of November 1948.

EDWARD YARDLEY
Secretary, Committee for
Reciprocity Information

November 5, 1948

Interdepartmental Committee on Trade Agreements

Trade-agreement negotiations with Denmark, Dominican Republic, El Salvador, Finland, Greece, Haiti, Italy, Nicaragua, Peru, Sweden, and Uruguay; possible adjustments in preferential rates on Cuban products

Pursuant to section 4 of the Trade Agreement Act approved June 12, 1934 (48 Stat. (pt. 1) 94 ch. 474), as extended and amended by the Trade Agreements Extension Act of 1948 (Pub. Law 792—80th Cong.) and to paragraph 4 of Executive Order 10004 of October 5, 1948 (13 F. R. 5853), notice is hereby given by the Interdepartmental Committee on Trade Agreements of intention to conduct trade-agreement negotiations with each of the following countries, including in each case areas in respect of which the country has authority to conduct trade-agreement negotiations: Denmark, Dominican Republic, El Salvador, Finland, Greece, Haiti, Italy, Nicaragua, Peru, Sweden, and Uruguay. It is proposed to enter into negotiations with these countries with a view to their accession as contracting parties to the General Agreement on Tariffs and Trade.

There is annexed hereto a list² of articles imported into the United States to be considered for possible modification of duties and other import restrictions, imposition of additional import restrictions, or specific continuance of existing customs or excise treatment in the proposed trade agreement negotiations with each of the above countries, each of which lists has been approved by the President and transmitted to the United States Tariff Commission, pursuant to paragraph 4 of Executive Order 10004. In the case of an article in one or more of these lists with respect to which the corresponding product of Cuba is now entitled to preferential treatment, a modification of the rate in the negotiations referred to will involve the elimination, reduction, or continuation of the preference, perhaps in some cases with an adjustment or specification of the rate applicable to the product of Cuba.

No tariff concession will be considered in the negotiations with any country on any article which is not included in the annexed list relative to such country unless it is subsequently included in a supplementary public list approved by the President and transmitted to the Tariff Commission. No duty or import tax imposed under a paragraph or section of the Tariff Act or Internal Revenue Code other than the tariff paragraph listed with respect to such article will be considered for a possible decrease, although an additional or separate duty on an article included in an annexed list, which is imposed under a paragraph or section other than that listed, may be bound against increase as an assurance that the concession under the listed paragraph or section will not be nullified.

² Not printed.

Pursuant to section 3 of the Trade Agreements Extension Act of 1948, information and views as to the matters specified in that section may be submitted to the United States Tariff Commission in accordance with the announcement of this date issued by the Commission. Pursuant to section 4 of the Trade Agreements Act, as amended, and paragraph 6 of Executive Order 10004 of October 1948, information and views as to any aspect of the proposals announced in this notice may be submitted to the Committee for Reciprocity Information in accordance with the announcement of this date issued by that Committee. Arrangements are being made to coordinate the hearings to be held by the Tariff Commission and the Committee for Reciprocity Information in order to facilitate the

convenience of persons desiring to appear at both hearings. Information and views submitted to the Tariff Commission, except those accepted by the Commission as confidential, will be made available to the Committee for Reciprocity Information although, on account of the statutory requirement as to the investigation by the Tariff Commission, persons and groups who wish to be assured that their information and views will be considered by the Tariff Commission should present them directly to the Commission.

By direction of the Interdepartmental Committee on Trade Agreements this 5th day of November 1948.

WOODBURY WILLOUGHBY
Chairman, Interdepartmental
Committee on Trade Agreements

U.S. Interest in Revival of Japanese Economy on Peaceful Self-Supporting Basis

STATEMENT BY MAJOR GENERAL FRANK R. McCOY¹

U.S. Representative on the Far Eastern Commission

I have noted the various statements on the subject of FEC-320 made by the Soviet Ambassador before the Far Eastern Commission.² I have also noted his statement released to the press on September 24. In the light of the resolution by the Soviet Representative and the ensuing discussions of the Commission, it appears to me desirable at this juncture to state the views of my Government on this matter.

As will be recalled, the Allies and the Far Eastern Commission have on several occasions announced policies dealing with primary and secondary war facilities and, in principle, war-supporting industries. Insofar as the peaceful economy of Japan is concerned, the United States, you will recall, has never expressed the view that restrictions should be placed on peaceful Japanese production. On the contrary, the United States has repeatedly advocated measures which would have the effect of stimulating the early revival of the peaceful Japanese economy. For example, it will be recalled that the basic position of my Government on this matter was summarized as far back as January 21 of this year when I said to this commission:

"My Government believes that the Japanese Government and people, the Far Eastern Commission

and its member states, and the Supreme Commander . . . should take all possible and necessary steps, consistent with the basic policies of the occupation, to bring about the early revival of the Japanese economy on a peaceful self-supporting basis."

It would be highly inconsistent for my Government to take any other view when at the same time it is pursuing in other parts of the world programs designed primarily to alleviate suffering and to bring about economic revival. We are making great efforts to contribute, in cooperation with other nations, to the raising of economic well-being and to bring about economic revival wherever possible.

Accordingly, we welcome that part of the statement of the Soviet Representative which draws attention to the need for an early Japanese revival and which indicates support for the policies of the United States Government.

The second Soviet proposal, as explained by the Soviet Representative, calls for the establishment and exercise of international controls over war

¹ Made on Nov. 11, 1948, at the meeting of the Commission and released to the press on the same date.

² Not printed.

industries in Japan after the treaty of peace comes into effect. Determination of post-treaty arrangements, as the Commission is aware, falls outside its terms of reference. I am certain that you are fully aware how thoroughly the demilitarization of Japan has been carried out. It should be unnecessary to reiterate that the United States is determined that Japan shall not again be able to undertake aggression.

In conclusion it is the view of my Government that the Soviet resolution would serve no useful purpose, would in substance only reiterate Far Eastern Commission and Allied policy decisions of long standing, and would in part be beyond the acceptance of the Far Eastern Commission.

Procedure for Filing War Claims in U.S. Zone of Germany

[Released to the press November 12]

The Department of State refers to the Joint State-Army announcement of November 10, 1947,¹ regarding the promulgation of Military Government law no. 59, an internal restitution law providing for the restitution of identifiable property located in the U.S.-occupied zone of Germany (excluding U.S. sector of Berlin) which was taken from its rightful owners by the Nazis during the period from January 30, 1933, to May 8, 1945, through transactions under duress arising from discrimination because of race, religion, nationality, ideology, and political opposition to National Socialism.

All claims under the law must be filed on or before December 31, 1948. The Office of Military Government for Germany (U.S.) has informed the Department of State that no extension of the filing period provided for in Military Government law no. 59 has been authorized or is anticipated. Claimants are not precluded from filing claims before the deadline by reason of lack of complete information, since article 58 of this law provides that the period of limitation shall be deemed to have been complied with by filing a written statement with—

Zentralanmeldeamt (Central Filing Agency)
Bad Nauheim, Germany

Such a statement need not be under oath but should contain a description of confiscated property, stating as exactly as possible, the time, place, and circumstances of the confiscation; and in addition, so far as is known to the claimant, the names and addresses of all persons having or claiming to have an interest in the property.

Claims should not be sent to the Department of State, to Military Government offices, or to local German government officials.

¹ Not printed. Refer to BULLETIN of Feb. 8, 1948, p. 185.

Murder of Irving Ross in Austria Under Investigation

[Released to the press November 1]

The Department has received a preliminary report from the American Legation at Vienna concerning the murder of Irving Ross, Assistant to the Economic Cooperation Administrator for Austria.

The information in the report is limited to the fragmentary account given Austrian police by Miss Dana Sopevina, who was with Mr. Ross at the time of the attack. Miss Sopevina, who was gravely injured and is now in an Austrian hospital in the Soviet zone of Vienna, stated that she and Mr. Ross had attended a dinner party, following which they drove another guest to his residence in the Soviet zone. On their return they were accosted in the Soviet zone by four armed men in Soviet uniform. They were forced to drive to an outlying district, where both were badly beaten. Miss Sopevina was thrown from the car. Ross' body was found by Austrian police in his car in the Soviet zone early on the morning of October 31.

Lieutenant General Geoffrey Keyes, the United States High Commissioner to Austria; Mr. John G. Erhardt, the United States Minister; and Mr. Westmore Willcox, Chief of the ECA Mission to Austria, are cooperating in a thorough investigation of the case.

Ratification Instruments Exchanged Between U.S. and Norway

[Released to the press November 9]

Acting Secretary of State Robert A. Lovett and Wilhelm Munthe de Morgenstierne, Norwegian Ambassador in Washington, have formally exchanged the instruments of ratification of a claims convention between the United States and Norway which was signed in Washington on March 28, 1940. The convention provides for the disposition of a claim of the Government of Norway against the Government of the United States on behalf of Christoffer Hannevig, a Norwegian subject, and a claim of the Government of the United States against the Government of Norway on behalf of the late George R. Jones, an American citizen.

The convention provides for an exchange of pleadings and evidence in relation to the two claims in the hope that by thus more clearly bringing to light the facts and the law relied upon by the two Governments in support of their respective contentions a diplomatic settlement may be possible. It is further provided that in the event that such a settlement is not reached the Hannevig

claim shall be submitted to the United States Court of Claims for adjudication and the Jones claim to a sole arbitrator for decision.

The convention entered into force upon the exchange of the instruments of ratification thereof. The Hannevig claim arose by virtue of the requisitioning by the United States of ships under construction in the three partially completed Hannevig shipyards in 1917. The shipbuilding companies had been organized as American corporations by Christoffer Hannevig in 1916 and 1917. After requisitioning the partially completed ships the then United States Shipping Board Emergency Fleet Corporation advanced the capital necessary to complete the financing of the shipyards. After the three companies were organized into one corporation known as the Pusey & Jones Company, relations between that corporation and the Emergency Fleet Corporation became increasingly complicated. An award was made to the Pusey & Jones Company in 1920 which the Emergency Fleet Corporation considered to be just compensation, but it was not accepted. During the ensuing litigation Hannevig was adjudged bankrupt and the Pusey & Jones Company forced into receivership. The Emergency Fleet Corporation, which had intervened in the receivership proceedings as mortgage creditor, reached a compromise settlement in 1926 with the receivers, which was approved by the United States District Court for the District of Delaware. The Pusey & Jones Company released the Emergency Fleet Corporation and the United States from all further claims.

Hannevig's case, based upon allegations that the Pusey & Jones Company had not been paid just compensation, was brought to the attention of the Department of State by the Norwegian Government in 1926 and again in 1935. The amount of the claim was stated as approximately 68 million dollars.

The claim against Norway on behalf of the late George R. Jones is based upon losses amounting to more than \$100,000 suffered by the George R. Jones Company in connection with several shipments of shoes sent to Norway in 1920 pursuant to a contract between the company and a Norwegian purchaser. Payment for the shoes was guaranteed by a Norwegian bank. The shoes arrived in Norway at a time when prices were falling and Norwegian money was depreciating in terms of dollars. The purchaser refused to accept some of the shoes on the alleged ground that they did not conform to sample and were of inferior quality. The Norwegian bank refused to pay or to admit liability upon its guaranty. The American company brought suit against the bank in the Norwegian courts. The lower court decided in favor of the company but the Supreme Court of Norway reversed the decision. The company has taken the position that the decision of the Supreme Court of Norway constituted a denial of justice.

Procedure for Filing Claims With Finland

[Released to the press November 8]

Reference is made to a State Department announcement of July 15, 1948, concerning claims for losses caused by transferring so-called German property in Finland to the Union of Soviet Socialist Republics.¹

The Department is now in receipt of further information to the effect that by a decision of the Ministry of Finance of the Republic of Finland dated September 24, 1948, the time limit for submitting claims for losses incurred through the transfer of German property by Finland to the Union of Soviet Socialist Republics has been extended to January 24, 1949, in the case of persons permanently residing abroad and to November 24, 1948, in the case of persons residing in Finland. If the loss is incurred after September 24, 1948, claims from persons residing abroad must be submitted within four months of the date of loss and claims from persons residing in Finland must be submitted within two months of the date of loss.

As stated in the Department of State announcement, claims from abroad should be filed through the Finnish Legations or Consulates, the chiefs of which are career officers. The offices in the United States which may receive claims are the Legation of Finland, 2144 Wyoming Avenue, Washington, D. C., and the Finnish Consulate General, 53 Broadway, New York, N. Y.

It is suggested that American claimants inform the Department of any claims which they may file under the above procedure.

International Commission for Scientific Investigation of Tuna Recommended

The Department of State announced on November 9 the result of the discussions between officials of Mexico and of the United States on fishery-conservation matters of common concern. The discussions, which commenced October 25 in Mexico City, were concluded on November 4 with the signing by both delegations of a joint report to the two governments in which it was recommended that there be concluded a convention for the establishment of an international commission for the scientific investigation of tuna.

The joint report of the meeting, which contains the text of the proposed convention, is included in Department of State press release 896 of November 9. The report urges the governments to establish a joint commission for the investigation of the tuna resources of the Pacific Ocean with a

¹ BULLETIN of Aug. 1, 1948, p. 148.

view to maintaining the resource at a level which will assure a reasonable maximum utilization, year after year, without depletion. The report concludes that such convention would result in positive benefit to the fishing industries of both countries and would contribute to conservation of food resources.

Visas Not Required for Americans on Temporary Visits to U.K.

[Released to the press November 12]

Effective November 12, 1948, American citizens in possession of valid American passports may enter the United Kingdom of Great Britain and Northern Ireland without British visas for a temporary period of stay provided they comply with other laws and regulations of the United Kingdom concerning the entry, residence, and employment or occupation of foreigners or travelers.

Statutory and other restrictions preclude the United States from granting full reciprocity, but British subjects resident in the United Kingdom in possession of valid British passports who are eligible to enter the United States as *bona fide* nonimmigrants will be granted effective November 12, 1948, gratis passport visas, and in cases of qualified temporary visitors, visas may be valid for 24 months provided the passports of the bearers remain valid for that period of time. All other nonimmigrant passport visas granted British subjects resident in the United Kingdom will, as at present, have a maximum period of validity of 12 months provided the passports remain valid for that period of time.

This arrangement will be put into effect outside the United Kingdom for British subjects residing therein but who are temporarily absent therefrom and who are proceeding to the United States as nonimmigrants, as soon as American diplomatic and consular officers can be notified.

International Joint Commission To Study Passamaquoddy Power Project

[Released to the press November 9]

The Department of State announced on November 9 that the Governments of the United States and Canada have agreed to refer certain matters in connection with the Passamaquoddy Tidal Power Project to the International Joint Commission, United States and Canada.

The Passamaquoddy Tidal Power Project as originally proposed in the 1920's would involve damming Passamaquoddy Bay, on the Maine-New

Brunswick border, and Cobscook Bay, which is wholly within the State of Maine, and—by means of a controlled flow between the two basins thus formed—utilizing the great tidal range in the Bay of Fundy for the generation of hydroelectric power.

Under the terms of reference which have now been transmitted to the United States and Canadian Sections of the International Joint Commission by the United States Department of State and the Canadian Department of External Affairs, respectively, the Commission is asked to review existing plans for the project, to report how large and expensive an investigation would be required to determine whether any of these or other plans would be practicable, and to recommend a division of the expenses of such an investigation between the two countries. The reference does not ask the Commission to undertake the investigation, and both Governments have made it clear that they are not committed, by the present reference, to any later reference to the Commission for full investigation of the project itself.

A copy of the terms of reference follows:

November 9, 1948

GENTLEMEN: In accordance with Article IX of the Boundary Waters Treaty of January 11, 1908, the Governments of Canada and the United States have agreed to refer to the International Joint Commission the following matters for joint examination and advisory report, including recommendations and conclusions:

1. To review existing plans for the construction of hydro-electric power plants at Passamaquoddy and Cobscook Bays, arms of the Bay of Fundy, which are located at the mouth of the St. Croix River, a boundary stream between the State of Maine and the Province of New Brunswick.

2. To report on the scope of the investigation which would be necessary, together with the estimated cost thereof, to enable the Commission to report whether any of these or other plans for using these waters is practicable, and is desirable from the point of view of public convenience and necessity.

3. To report its recommendations as to the basis on which the costs of the investigation shall be apportioned to each country.

In the conduct of its examination, and otherwise in the performance of its duties under this Reference, the International Joint Commission may utilize such information and technical data as has been acquired by the technical agencies of either Government or which may become available during the course of the investigation, thus avoiding duplication of effort and unnecessary expense.

Very truly yours,

R. A. LOVETT
Acting Secretary

Department of State Bulletin

Fulbright Study Grants Available to 47 U.S. Citizens

Opportunities for 47 United States citizens to receive grants for study, research, and teaching in Greece and the Philippines under the Fulbright program were announced on November 3 by the State Department and the Board of Foreign Scholarships.

Candidates for all grants will be selected on the basis of scholastic and professional achievement. In addition, grants for research work will be based on the research project proposed. Persons receiving grants will normally be expected to remain in Greece for one academic year. Veterans will be given preference provided that their qualifications are approximately equal to those of other candidates.

Greece

The awards will be in Greek currency and vary in amount with the type of grants. Benefits to students may include tuition, maintenance, and travel, and those to researchers and teachers may include travel, maintenance, and a stipend.

Six grants will go to American graduate students to study at the American School of Classical Studies in Athens. Study may be undertaken in the fields of ancient history, classics and classical archeology, medieval and modern Greek history, and literature. Application for these student grants should be made to the Institute of International Education, 2 West 45th Street, New York 19, New York. The closing date for filing applications for the student grants is December 15, 1948.

Eight research scholar grants are available for work under the direction of the American School of Classical Studies in connection with archeological excavations of the agora, the ancient marketplace in Athens.

Grants are also available to three American college or university teachers to instruct at universities and advanced schools in Greece. The following fields are available: American life and history at the University of Athens and home economics and rural sociology at the Superior School of Agriculture. The work of the rural sociologist will involve field work in cooperation with the Near East Foundation. Applications for these grants and for the research-scholar awards should be made to the Conference Board of Associated Research Councils, 2101 Constitution Avenue NW., Washington 25, D.C.

At least six grants are available for teaching at American-sponsored secondary schools and junior colleges in Greece. The teaching opportunities are primarily for instruction in the English language at the following schools: Pierce College, Athens College, and Anatolia College. It is likely that

opportunities for other fields of instruction may be available at a later date. Application for these grants should be made to the Conference Board of Associated Research Councils, 2101 Constitution Avenue, NW., Washington 25, D.C.

In addition to the above grants offered to American citizens, it is expected that a number of scholarships will soon be made available to Greek students attending American schools in Greece, and that a limited number of travel grants to Greek nationals will be made to enable the recipients to attend colleges and universities in the United States.

Philippines

All awards are in Philippine currency. Benefits to students may include tuition, maintenance, and travel. Recipients of grants for teaching or advanced research may be awarded travel, maintenance, and a stipend.

Four grants are available for American graduate students to engage in study or research in the Philippines. Application blanks for these grants may be obtained from the Institute of International Education, 2 West 45th Street, New York 19, New York. Closing date for filing applications is December 15, 1948.

Sixteen grants are available for American college or university teachers to instruct at universities and advanced schools in the Philippines in the fields indicated.

University of the Philippines

- Economics
- Higher education
- Political science
- Psychology
- English
- Physics

Silliman University

- Agriculture

Santo Tomás

- Secondary education

Ateneo de Manila

- Social science
- Biological science

Philippine Women's University

- Nutritional chemistry
- Educational psychology
- Institutional management

Philippine School of Arts and Trades

- Vocational education

Philippine Normal School

- English language
- Adult education

Four grants are available for advanced research: Two at Silliman University in the field of biological sciences with emphasis on microphotography, and two at the University of the Philippines, one in the field of rural sociology, and the other in the general field of Far Eastern anthropology.

Applications for the research grants and the grants to American college or university teachers should be made to the Conference Board of Associated Research Councils, 2101 Constitution Avenue, NW., Washington 25, D.C.

The remainder of the Fulbright program approved for the Philippines consists of forty travel grants to enable Filipino students to attend colleges and universities in the United States. All but six of these grants have been awarded. Four grants are available for Filipino students to attend American institutions in the Philippines.

Surplus Property Agreement on Educational Exchange With France Signed¹

The French Government and the United States Government, represented, respectively, by Messrs. Schuman and Yvon Delbos on the one hand, and by Mr. Jefferson Caffery on the other hand, signed on October 2 at the Ministry of Foreign Affairs an agreement regarding exchanges in the field of higher education. This agreement prescribes the methods for applying the Blum-Byrnes agreements of May 28, 1946, and the American law which resulted from the initiative of Senator Fulbright, which provides for the allocation of a portion of the sums in francs owed by the French Government for war surplus for the purpose of setting up a program of inter-university relations between the two countries. The United States Government has just concluded similar agreements with Great Britain and Belgium. For the purpose of carrying out the program in question, the agreement sets up a committee, of which the United States Ambassador is the honorary chairman, to be composed of six French and six American members. The funds placed at the disposal of the committee by the American Government will make it possible to finance the living expenses of a certain number of American teachers, students, and researchers who will come to France to pursue their work at institutions of higher education; the funds will also cover the traveling expenses of a certain number of French teachers, students, and researchers who will go to the United States for a similar purpose. The total amount of the sums allocated to the carrying out of this plan may reach a maximum of five million dollars, distributed over five years.

¹ Printed from telegraphic text.

Colombian Anthropologist Visiting U.S. Museums

Luis Duque Gómez, Director of the National Ethnological Institute and of the National Anthropological Museum, Bogotá, has arrived in Washington for a three months' visit in the United States under the travel-grant program of the Department of State in cooperation with the Smithsonian Institution. Mr. Duque Gómez is interested in studying museum techniques and Latin American collections in this country and in encouraging specialists and students in the field of anthropology to visit and study in Colombia. After approximately two weeks in Washington, he will visit museums in various other cities in the East on the Pacific Coast, and in the Southwest.

After completing his visit in the United States Mr. Duque Gómez plans to continue his study and observations for a month in Mexico and Guatemala and possibly in other Central American countries before returning to Colombia next March.

THE DEPARTMENT

Appointment of Officers

Elbert G. Mathews as Chief of the Division of South Asian Affairs, effective October 3, 1948.

Final Volume in "Nazi Conspiracy and Aggression" Series Released

The Department of the Army announced on October 31 that with the release of a volume containing the high lights of the defense made by the major Nazi war criminals, as well as their interrogations by the prosecution, publication of all the essential documents pertaining to the international trial at Nürnberg is completed.

The new volume, supplement "B", in the "Nazi Conspiracy and Aggression" series, is being sold with supplement "A" as a six-dollar set by the Superintendent of Documents, Government Printing Office, Washington 25, D. C. Supplement "A", completed several months ago, contains the six closing arguments for the Allied prosecution and prosecution documents introduced in cross-examination.

This is the eleventh and final volume in the international trial series. The Department pointed out that the preceding volumes in the series were devoted largely to prosecution documents, whereas the final volume presents the defendants' side of the case, thus achieving for the series both sides of this historical record.

The publication includes the texts of defense counsels' extensive summations of the evidence in favor of their clients; the final pleas made to the International Military Tribunal by each defend-

Department of State Bulletin

in person at the close of the evidence; defense arguments challenging the Tribunal's jurisdiction; the criminality of aggressive war; and some of the documents offered by defendants Hess and Goebbels which are possessed of unique significance. This final volume, like the others in the series, has been edited by former members of the American prosecution staff at Nürnberg and has been approved for release by Justice Jackson.

PUBLICATIONS

Department of State

For sale by the Superintendent of Documents, Government Printing Office, Washington 25, D.C. Address requests for information to the Superintendent of Documents, except in the case of free publications, which may be obtained from the Department of State.

Inter-American Coffee Agreement. Treaties and Other International Acts Series 1768. Pub. 3247. 18 pp. 10¢.

Protocol Between the United States and Other American Republics Modifying and Extending for One Year From October 1, 1947, the Agreement of November 28, 1940, as modified and amended—entered into force with respect to the United States May 24, 1948, effective October 1, 1947.

Settlement of Lend-Lease and Reciprocal Aid Accounts and Intergovernmental Claims. Treaties and Other International Acts Series 1770. Pub. 3249. 8 pp. 5¢.

Agreement Between the United States and the United Kingdom of Great Britain and Northern Ireland Modifying and Supplementing Agreement of March 27, 1946—Signed at Washington July 12, 1948; entered into force July 12, 1948.

Mutual Aid Settlement. Treaties and Other International Acts Series 1779. Pub. 3264. 4 pp. 5¢.

Agreement Between the United States and Yugoslavia signed at Washington July 19, 1948; entered into force July 19, 1948.

Economic Cooperation With Ireland Under Public Law 472—80th Congress. Treaties and Other International Acts Series 1788. Pub. 3269. 42 pp. 15¢.

Agreement Between the United States and Ireland—Signed at Dublin June 28, 1948; entered into force July 2, 1948.

Economic Cooperation With Belgium Under Public Law 472—80th Congress. Treaties and Other International Acts Series 1781. Pub. 3279. 55 pp. 15¢.

Agreement Between the United States and Belgium—Signed at Brussels July 2, 1948; entered into force July 29, 1948.

Civil Aviation Mission to Ecuador. Treaties and Other International Acts Series 1774. Pub. 3285. 7 pp. 5¢.

Agreement Between the United States and Ecuador—Effectuated by exchange of notes signed at Quito October 24 and 27, 1947; entered into force October 27, 1947.

Economic Cooperation With Sweden Under Public Law 472—80th Congress. Treaties and Other International Acts Series 1793. Pub. 3287. 52 pp. 15¢.

Agreement Between the United States and Sweden—Signed at Stockholm July 3, 1948; entered into force July 21, 1948.

National Commission News, November 1948. Pub. 3321. 10 pp. 10¢ a copy; \$1 a year domestic; \$1.35 a year foreign.

Features the Boston meeting of the United States National Commission for UNESCO.

Mutual Aid Settlement: Joint Installations in the Middle East. Treaties and Other International Acts Series 1769. Pub. 3248. 10 pp. 5¢.

Agreement Between the United States and the United Kingdom of Great Britain and Northern Ireland—Signed at Washington July 12, 1948; entered into force July 12, 1948.

Documents and State Papers for October 1948

Contains the following items:

The Present Status of the Saar

Coordination of European Inland Transport, 1941-48

Calendar of International Meetings With Annotations

Copies of this publication are for sale by the Superintendent of Documents, Government Printing Office, Washington 25, D.C., at 30 cents a copy; subscription price for 12 issues is \$3.00 a year.

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The Department of State

Bulletin

*Vol. XIX, No. 491
November 28, 1948*

**U.S., FRANCE, U.K., AND U.S.S.R. URGED TO SOLVE
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The Department of State bulletin

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November 28, 1948

The Department of State BULLETIN is a weekly publication compiled and edited in the Division of Publication Office of Public Affairs, provides the public and interested agencies of the Government with information on developments in the field of foreign relations and on the work of the Department of State and the Foreign Service. The BULLETIN includes press releases on foreign policy issues by the White House and the Department, and statements and addresses made by the President and by the Secretary of State and other officers of the Department, as well as special articles on various phases of international affairs and the functions of the Department. Information is included concerning treaties and international agreements to which the United States is or may become a party and treaties of general international interest.

Publications of the Department, as well as legislative material in the field of international relations, are listed currently.

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THE UNITED NATIONS AND SPECIALIZED AGENCIES

S., France, U.K., and U.S.S.R. Urged To Solve Berlin Question

JOINT COMMUNICATION FROM PRESIDENT OF GENERAL ASSEMBLY AND THE SECRETARY-GENERAL¹

November 13, 1948

We have the honor to address this communication to the chairmen of the delegations of the powers signatory to the Moscow agreement of 24 December 1945, and to request that it be transmitted to the respective chiefs of government for their urgent consideration.

On Wednesday 3 November 1948 the General Assembly of the United Nations sitting in plenary session at Paris, unanimously adopted an "appeal to the great powers to renew their efforts to compose their differences and establish a lasting peace". In this resolution the General Assembly declared that the disagreement between the great powers is a matter of vital importance to all the United Nations is at the present time the cause of the deepest anxiety among all of the peoples of the world . . . " and that "the United Nations in the performance of its most sacred mission is bound to afford its assistance and cooperation in the settlement of a situation the continuation of which involves grave dangers to international peace".

The resolution then "recommends the powers signatory to the Moscow agreement of 24 December 1945 and the powers which subsequently acceded thereto, to redouble their efforts, in a spirit of solidarity and mutual understanding, to secure in the briefest possible time the final settlement of the war and the conclusion of all the peace settlements".

The representatives of all the powers signatory to the Moscow agreement spoke in unqualified support of this resolution and voted for it. They have accepted the recommendation and the world rightly expects them to take active steps toward carrying it out without delay.

We believe the first step is to resolve the Berlin question. This case is still pending before the Security Council. We believe the history of the Security Council's consideration of this case demonstrates that it can be solved.

Every day that the deadlock over Berlin con-

tinues the danger to the peace and security of all nations continues undiminished. Fear of another war is crippling the effort of all nations to repair the damage of the last war and return once more to the ways of peace. The work of the General Assembly and of the United Nations as a whole in every field of its endeavor is being delayed and undermined.

It is within the power of the leaders of the great nations to which this communication is addressed to end this danger to the peace.

We therefore respectfully urge upon the Governments of France, the Union of Soviet Socialist Republics, the United Kingdom and the United States, signatories to the Moscow declaration, the desirability of immediate conversations and of taking all other necessary steps toward the solution of the Berlin question, thus opening the way to a prompt resumption of negotiations for the conclusion of the remaining peace settlements for Germany, Austria and Japan.

We also believe the great powers should lend their full and active support to the efforts at mediation of the Berlin dispute by the president of the Security Council. For ourselves, we stand ready to lend all further assistance, such as the currency study now being made by the United Nations General Assembly which seems most helpful to the great powers in the solution of the problem.

We await an early reply to this communication in order that the members of the United Nations now assembled here in Paris may be informed of the progress in the implementation of the General Assembly's unanimous "appeal to the great powers to renew their efforts to compose their differences and to establish a lasting peace".

We have the honor to be, sir, your obedient servants,

HERBERT V. EVATT,
President of the General Assembly.
TRYGVE LIE,
Secretary General.

¹ Printed from telegraphic text.

TEXT OF THE UNITED STATES REPLY

[Released to the press November 17]

Hotel d'Iéna
PARIS, FRANCE
November 17, 1948

DEAR SIRs:

I have the honor to transmit the reply which the President of the United States has asked me to make to your letter of November 13, 1948.

The Government of the United States endorsed the resolution approved by the General Assembly on November 3, 1948 with every desire that its end and purpose should be accomplished as soon as possible in the interest of achieving an early settlement of issues still outstanding as a result of the war and of bringing about a definite peace. The Government of the United States wants a solution of the Berlin question. It continues to seek such a solution through the United Nations. We have supported the efforts of the Security Council and its President to remove the danger to the peace arising from the Soviet blockade of the Western Sectors of Berlin. I desire to assure you that this remains our course and objective.

The resolution proposed to the Security Council by the Representatives of Argentina, Belgium, Canada, China, Colombia, and Syria was a sincere and statesman-like effort to bring about a settlement. The Government of the United States remains ready to carry out loyally this resolution and stands by its expressed willingness to be guided by the principles embodied therein. The resolution was accepted by all of the members of the Council except the Soviet Union and its member republic, the Ukraine. It failed to bring about a settlement only because of the Soviet veto.

The Government of the United States has repeatedly affirmed its readiness to engage in conversations as soon as the Soviet Union has lifted the blockade against Berlin so that negotiation can take place under conditions free from duress.

We again reaffirm this position, which is in accordance with the resolution proposed by the six members of the Security Council.

The United States did, at the outset, in accordance with the Charter, resort to direct discussions with the Soviet Union. These discussions continued until it became apparent that the ill blockade was established by the Soviet Union for the purpose of obtaining political objectives which it is not entitled. We therefore referred the question to the Security Council as a threat to the peace which it still remains. To compromise the principle of the Charter that force shall not be used for the attainment of national objectives would endanger the peace of the world.

There is a basic issue in relation to Berlin—that is whether or not the Soviet Government can be permitted to use force, whether by way of blockade or of economic pressures involving currency, credit, or trade, or otherwise, to deprive the Western Powers of participation in the administration of Berlin.

It is a source of deep regret that up to the present, conditions unilaterally imposed have impeded the fulfillment of the purposes of the Assembly resolution. As has repeatedly been made clear both in direct discussion and before the Security Council, the United States is ready to take part in the efforts of the Security Council to solve the Berlin problem, and to participate in any effort made to meet the fundamental issues inherent in this problem which will remove the threat to the peace and which can be accepted in good faith by the parties concerned.

Since this matter is, as you have noted, on the agenda of the Security Council, copies of your letter and this reply thereto are being transmitted by me to the President of the Security Council.

Faithfully yours,

GEORGE C. MARSHALL

Discussion of the Palestine Situation in Committee I

STATEMENT BY PHILIP C. JESSUP¹

U.S. Delegate to the General Assembly

Mr. Chairman, I wish to make a preliminary statement on behalf of my Delegation, reserving opportunity to speak again at a later stage in discussion. We are speaking in response to our desire, Mr. Chairman, to get as many views before the Committee as early as possible, even though we shall not be able to express our final views until we have had an opportunity to study the statements made by other delegations and, particularly, to study more carefully the resolution offered by the Representative of the United Kingdom.²

We seek here in this session of the General Assembly a further step in establishing friendly relations among the governments and peoples of the Near East. The United States for its part wishes to maintain the historic ties of friendship which it has had with all these governments and peoples and to see them reconcile their differences either by direct discussions among themselves or through the assistance from the United Nations.

As we see it, there have been three basic objectives which underlie the efforts of the United Nations to find a settlement of the Palestine question. They are (1) the establishment and maintenance of peace in that area; (2) the early attainment of a constructive political settlement which will itself contribute to stability, and to economic well-being throughout the Middle East; and (3) reconciliation between the Arab and Jewish communities in matters affecting Palestine.

The United Nations has exerted itself both through the General Assembly and through the Security Council to reach these objectives. The most notable action taken by the General Assembly was the recommendation of November 29, 1947,³ which was based upon the majority report of a special committee of the Assembly. My Government supported that recommendation as a fair and reasonable settlement of a complicated and explosive problem.

When it became apparent that the recommendation of November 29, 1947, would not in fact meet the situation arising in Palestine upon the termina-

tion of the mandate, the General Assembly appointed a United Nations mediator to use his good offices to promote a peaceful adjustment of the future situation of Palestine. The United States supported that resolution and had the honor to support the nomination of Count Folke Bernadotte as the United Nations mediator.⁴

That effort of the Assembly is still in process. We have before us the progress report of Count Bernadotte as well as the oral report to this Committee by the acting mediator.⁵

Before turning to the progress report of the mediator, we should note the strenuous efforts made by the Security Council to bring about a truce and to prevent the outbreak of violence and bloodshed throughout Palestine.

The Security Council adopted a series of resolutions the first of which was passed on March 5⁶ and the last of which was adopted on November 16. Under these resolutions and specifically those of May 29⁷ and July 15,⁸ both Arabs and Jews were called upon, first, to cease fire for a period of four weeks and then were ordered subsequently to cease fire indefinitely. No fighting personnel or war materials were to be imported into the Near East. On August 19 the Security Council decided, among other things, that "No party is entitled to gain military or political advantage through violation of the truce".⁹

Under these resolutions the Security Council succeeded in establishing conditions of a truce for Palestine. Under the subsequent resolution of November 16, the Security Council called upon the parties to negotiate either directly or through the

¹ Made on Nov. 20, 1948, and released to the press on the same date.

² U.N. doc. S/1080, Nov. 16, 1948.

³ U.N. doc. A/516, Nov. 29, 1947.

⁴ U.N. doc. A/648, Sept. 18, 1948.

⁵ BULLETIN of Oct. 24, 1948, p. 517.

⁶ BULLETIN of Mar. 14, 1948, p. 344.

⁷ BULLETIN of June 6, 1948, p. 729.

⁸ BULLETIN of July 25, 1948, p. 114.

⁹ U.N. doc. S/983, Aug. 20, 1948.

acting mediator with a view to the immediate establishment of an armistice, including the delineation of permanent demarcation lines and such withdrawal and reduction of their armed forces as will insure the maintenance of the armistice during the transition to permanent peace in Palestine.

No one can seriously doubt that the effort of the Security Council to maintain a truce has been exerted with persistence and with impartiality. On some occasions, the action of the Security Council appeared disadvantageous to one side, on other occasions to another. The main object was to prevent fighting and in the pursuit of this object the Security Council properly took no account of the temporary or local advantages which one side or the other might have had from a military point of view.

Fighting has in fact occurred but much fighting has been stopped. There has not been large-scale war in Palestine. Even in the midst of high tension and bitter hatred, the parties themselves have assisted the Security Council in limiting the scale and extent of the fighting.

These continuous efforts of the Security Council, culminating in the declaration of a need for an armistice on November 16, opened the way for a further constructive effort by this Assembly toward a lasting political settlement.

I wish to turn, Mr. Chairman, to the progress report of the mediator which is now before us. None of us can consider this report without sober and grateful reflection upon the services of the man who produced it. Count Bernadotte was a peacemaker, acting always in the high tradition of duty and public service. Courage, patience, and perseverance were not the least of his contributions to the settlement of the problem before us. He traveled the length and breadth of the Near East and did all that he could to persuade Arabs and Jews to seek the path of peace in the Holy Land. He has founded a tradition in these opening years of the United Nations which will represent a permanent contribution by him to the peace of the world.

My Delegation wishes to express its regard and appreciation to his successor, the acting mediator. We were particularly interested in his opening statement to this Committee on October 15. We venture to suggest that all delegates might profitably refresh their memories of the closing sections of his statement. We believe that statement reflected the spirit in which Count Bernadotte rendered his report and makes valuable suggestions about how it can be used to further a final settlement.

Dr. Bunche issued a challenge to us all with his statement that "It is unthinkable that Arabs and Jews should be permitted to resume hostilities in Palestine. The threat to the peace of the Middle East generally and even to the world from

conflict in Palestine is far too great." This led him to insist upon the need for an assurance that neither party will again resort to force in order to make its views prevail and as a means of gaining its objectives.

The second need to which Dr. Bunche called attention was for the establishment of a General Assembly position on certain fundamental political issues with respect to Palestine. I shall not discuss these issues here because they appear in the mediator's report which is before us. Our present task is to consider these issues. We believe there is great wisdom, however, in Dr. Bunche's observation that "It would not appear essential in the regard that a detailed plan, a blueprint, be devised for this purpose. Indeed", he continued, "such a detailed scheme, in view of all the developments since last November, and the present situation in Palestine, might well be undesirable. Assuming always that the parties do not again resort to force, it would seem that a somewhat general treatment of the subject which, while making clear the position of the United Nations on major issues, would leave to the parties the burden of peaceful adjustment, might have great merit."

The progress report of the mediator contains seven basic premises. My Delegation supports the general principles contained in these basic premises. We have no doubt but that all present will accept the first one, namely, that "Peace must be turned to Palestine and every feasible measure should be taken to insure that hostilities will not be resumed and that harmonious relations between Arab and Jew will ultimately be restored."

The second basic premise is that "A Jewish state called Israel exists in Palestine and there are sound reasons for assuming that it will not continue to do so". This premise was stated even more positively by the acting mediator when he referred to its "vibrant reality". The United States gave prompt and full recognition to the state of Israel. We are confident that Israel and its people will continue the remarkable progress they have already shown in the firm establishment of their governmental institutions, in the development of their economy, and in the resettlement and rehabilitation of its immigrants. We invite special attention to that portion of the statement of the Foreign Minister of the Provisional Government of Israel in which he asked for the admission of Israel to the United Nations. The United States looks forward to the admission of the state of Israel to the United Nations and its active participation in our work. To this end we hope that the Security Council will be able in the near future to recommend Israel as a state duly qualified for membership.

The third basic premise of the mediator was that "The boundaries of this new state (meaning Israel) must finally be fixed either by formal agreement between the parties concerned or failing that, by

United Nations". This raises a vital and delicate issue which confronts this Assembly. We must decide, among other things, whether we are seeking a basis of agreement among the parties or whether we shall try to fix boundaries at this session of the Assembly. We shall wish to discuss this point at a later stage, but our general view is that we must continue to seek further agreement between the parties rather than attempt at this time to draw specific boundary lines. We are inclined to the view that the Conciliation Commission, which Count Bernadotte recommended, should undertake further effort to bring about a settlement of boundary questions.

On another point the attitude of my Government is clear. The United States approves the terms of the state of Israel to the boundaries set forth in the United Nations resolution of November 29 and considers that modifications thereof should be made only if fully acceptable to the state of Israel. This means that reductions in territory should be agreed by Israel. If Israel desires additions, it would be necessary for Israel to offer an appropriate exchange through negotiations.

This brings us to the fourth basic premise of the mediator, which stressed the principle of geographical homogeneity and integration, applicable equally to Arab and Jewish territories.

We have noted from the statements made before this Committee by the representatives of the Governments concerned, that none of them is now satisfied with the boundaries of the original partition plan. Count Bernadotte believed that mutual exchanges could make them more generally acceptable and more workable. Clearly, the way is open for further consideration of boundaries by the parties and by the United Nations. The United States believes that the progress report of the mediator provides a basis for renewed efforts to bring about a peaceful adjustment of differences. We hope that by using this report as a basis of negotiations, the conflicting claims of the parties can be settled.

Again, Mr. Chairman, we shall wish to return later to a more detailed consideration of this part of our problem, but we believe that an equitable and workable boundary adjustment can be found which will meet the essential needs of the parties and contribute to the peace and development of the Near East.

The fifth basic premise deals with the repatriation of the refugees who have been driven from their homes during the recent disorders in Palestine. We believe that they should be permitted to return to their homes and that adequate compensation should be arranged for the property of those who choose not to return.

The sixth basic premise is that "the City of Jerusalem, because of its religious and international significance and the complexity of interest involved, should be accorded special treatment". We accept this premise and will wish to discuss later some of the detailed problems which are involved.

The final basic premise deals with international responsibility with respect to guaranties with respect to boundaries and the maintenance of human rights. The practical application of this basic premise will require our careful consideration since it is obvious that the essential guaranties which are involved must be those provided, if possible, by the United Nations itself.

It is not my present purpose, Mr. Chairman, to make a detailed review of the specific conclusions contained in the mediator's report. What has already been said about the basic premises will indicate a general approach which we take toward the specific issues discussed in the mediator's conclusions.

The United States is in general agreement with those conclusions, but I have already called attention to certain principles concerning boundaries, about which I shall have more to say later. We have noted that Mr. Shertok's statement indicates that a workable arrangement for free access through the port of Haifa and the airport of Lydda might be found. The mediator's views with respect to the disposition of Arab Palestine, to arrangements for the city of Jerusalem, to rights of access to Jerusalem, to the treatment of the Arab refugee problem, to the rights of minorities, and to the establishment of a Conciliation Commission are, in our view, solid contributions to a settlement.

Mr. Chairman, my Delegation has studied with much interest the draft resolution submitted by the United Kingdom. We believe that it contains many positive and constructive elements which would bring us substantially nearer the solution we seek. If we find ourselves unable to accept it in all its particulars, because of some of the considerations we have already mentioned, we shall nevertheless continue to give it our careful consideration. The distinguished Representative of the United Kingdom has presented it with an invitation to amendment, and we might wish to avail ourselves of this invitation at a later date. Meanwhile, Mr. Chairman, we believe it makes a most useful contribution to our work and might well be considered the basis of our common deliberations.

In an effort to assist the work of the Committee as best we may, we shall try to present more specific suggestions without delay; meanwhile, we would welcome the views of other delegations, to all of which we shall give most attentive interest.

Discussion of Armistice Resolution in Security Council

STATEMENT BY PHILIP C. JESSUP¹

U.S. Deputy Representative in the Security Council

Mr. President, I should like to address my remarks particularly to the draft resolution submitted by the Delegations of Belgium, Canada, and France. The substance of this resolution is not futile. It is largely based, as has been noted by its sponsors, on the proposals made by the acting mediator. In our opinion, it is an improvement upon that original text. The acting mediator has himself pointed out that he is not wedded to the particular phraseology of the proposal which he submitted.

I quite agree with the distinguished Representative of France that at least two of the principal points noted by the Representative of the Soviet Union in his amendments to the proposal of the acting mediator are met in this joint proposal of the three delegations. In our view, the chief merit of this proposal is that it looks forward and not backward. Its philosophy is that we should no longer ask the parties to continue under an uneasy truce. This resolution will offer the parties new hope. Its adoption should give them new confidence in the future.

I would appeal, Mr. President, to the distinguished Representative of Syria to recognize that this is progress and not retrogression. It is not an abandonment of Security Council efforts, but a continuation of those efforts. As some of the previous speakers have pointed out, here is a new program, a program of armistice and of negotiated peace. It is of the utmost importance to the parties themselves, to the United Nations, and to all members of the United Nations that we should now move forward toward the paramount purpose of securing peace. We should move not under the shadow of detrimental warfare but in the light of negotiations and discussions. That was the United Nations way.

The adoption of this resolution, Mr. President, would also inspire and assist the efforts of the General Assembly which, as has been noted through its First Committee, has today begun the consideration of the Palestine question. When the fighting broke out some six months ago, we had to have some quick decisions. We had cease-fire orders. We moved into a truce. We have adopted a number of resolutions relevant to that truce, including

¹ Made on Nov. 15, 1948, and released to the press by the U.S. Mission to the U.N. on the same date.

as our last action that which we took on November 4. We have found that type of action is enough.

The attitude of the United States in regard to the truce and to repeated resolutions dealing with it has been made very clear. We summarized our position on November 4 in this Council. We opposed to the use of force as a means of settlement of disputes, and we have supported all our steps looking toward a truce, and we will support this new proposal which has a like but greater purpose.

I think we must recognize, Mr. President, that the Security Council under this resolution will be effecting two transitions. In the first place there is a transition from the truce to the armistice and secondly, there is a transition from armistice to permanent peace. In regard to the transition from truce to armistice, I think this is more than a change of words. It marks a change in attitude and a change of attitude can produce an actual change of facts.

I am not going to try, Mr. President, to speak very frankly of what seems to me to be a very important question which is raised by this resolution which is placed before us, and that is its effect upon the resolution of November 4. I should like to recall that paragraph 5 of that resolution of November 4 contains two subparagraphs. Subparagraph (1) refers to withdrawal of forces and to provisional lines, which the acting mediator is authorized to establish. I repeat, provisional lines. The acting mediator in discharge of his responsibilities under that subparagraph (1) has consulted with the Committee of the Council, appointed by the resolution of November 4. The resolution which we are now considering, namely that introduced by the three governments, states that this resolution is without prejudice to the actions of the acting mediator regarding the implementation of that resolution of November 4.

As I interpret this resolution, therefore, the position which the acting mediator has taken in limiting lines in accordance with that subparagraph (1) still stands. Compliance with the resolutions of the Council would require compliance with that provision in regard to these provisional lines. But, in subparagraph (2) of the resolution of November 4, the Council also spoke of further negotiations. At that time, we suggested that

se further negotiations should be directed toward the establishment of permanent truce lines neutral or demilitarized zones. The effect of a new resolution if adopted by the Council would be to suggest a new direction for those negotiations. Those negotiations, whether conducted directly or through the United Nations acting as mediator, would have as their purpose not the continuation of the truce and the delimitation of truce lines, but the delineation of permanent armistice demarcation lines. They would have also as their purpose such withdrawal of armed forces as will ensure the maintenance of the armistice during the permanent peace in Palestine. In other words, they are free to the actual establishment of peace in Palestine.

Because this new resolution, therefore, passing from the provisional stage of the truce as it has been established by the Security Council to a further stage on the road to peace, because that is its intent and purpose and effect of this resolution, we find it much more satisfactory than the resolution tabled by the United Kingdom at our last meeting, and we hope very much that the United Kingdom will itself find that this new approach is a more satisfactory one to that extension of the truce which was contemplated by the resolution which they have tabled.

I think it is clear to all of us, Mr. President, that

we are not now discussing the actual political settlement in Palestine, but I think it is equally clear that we could help pave the way to it. No one disagrees with the objective of this resolution introduced by the three members of the Council. Opinions may and do differ as to the best methods to use to achieve that objective. For example, the distinguished Representative of the Soviet Union has suggested an even bolder course, namely, that we should move at once into the stage of final peace. For our part, we do not feel that it is practicable to move immediately into that stage and we do think that the intermediate stage of the armistice is a feasible and necessary step on the way to the final goal. On the other hand, if I have understood him correctly, the distinguished Representative of Syria suggested that we could not take this new step forward along the road to peace without first perfecting our previous stage of truce. I find that also an unacceptable position since I believe that the time has come when we must move forward out of that truce stage into a more advanced and hopeful stage.

Therefore, Mr. President, the Delegation of the United States finds the method proposed in this resolution of the three governments a well-conceived, a just, and a hopeful plan. We shall vote for it and we hope that the Security Council will adopt it this evening.

Third Session of the General Conference of UNESCO

STATEMENT BY GEORGE V. ALLEN¹

Chairman of the United States Delegation

In rising to comment, Mr. Chairman, on the report of the Director General, I beg the indulgence of the General Conference for a few remarks concerning the host country. We Americans feel particularly close to Lebanon, though separated physically by many miles of geographic distance.

Many thousands of Lebanese have gone to make their homes in the United States and in many other countries of the Western Hemisphere. They have made good citizens and have enriched our civilization by their energy, their intelligence, and their culture. They have taken especial advantage of the opportunities offered for themselves and their children in the fields of educational and cultural development. The intellectuals from Beirut and the peasants from the villages of Mount Lebanon have alike shown their innate ability for personal development of the highest order.

It is not difficult for those who know this country to understand why the individual Lebanese has so

great a capacity for mental achievement. The Lebanese people have never been isolated or insular in their outlook. From earliest times, they were travelers, colonizers, and merchants. They instructed the unlettered peoples of the northern Mediterranean in the use of the alphabet centuries before the silks of Cathay and the spices of the Indies began pouring across this land bridge between Europe and Asia to make Beirut an entrepôt of the world.

Ever creative in its art and architecture, Lebanon still reveals its ancient contacts with Egypt and Arabia on the one hand and with Greece and Rome on the other. In the valley between the ranges of the Lebanon mountains stands that world-famous temple of Baalbek—the place where

¹ Made at Beirut, Lebanon, in plenary session on Nov. 19, 1948, and released to the press on the same date. Mr. Allen is Assistant Secretary for public affairs.

European motifs in stone were devoted to the Baal, or Lord, of Bekaa' in a synthesis of East and West rarely paralleled in any other historic site. Our host town, founded as the Roman colony of Berytus just before the time of Christ, soon became famous as the seat of one of the most distinguished schools of law in the Roman world. "Lux ex oriente" and "lex ex occidente" combined to enrich the ancient world.

We in America have seen convincing evidence, from the Lebanese who have come to our shores, that the modern-day inhabitants of Lebanon retain that same capacity for great achievement which their ancestors so abundantly demonstrated. Nor has it been necessary for the people of Lebanon to leave their own country to demonstrate these capacities. Many of them have taken advantage of opportunities for intellectual and cultural advancement in schools and institutions in their own country.

I am proud, as an American, that outstanding among such schools is the American University at Beirut, which for 75 years has provided classrooms and instruction not only to Lebanese but to students from every part of the Near and Middle East. That institution, I am also proud to proclaim, has never been an institution for political or economic or cultural imperialism. It has maintained the high standards of academic and intellectual freedom which characterize the universities of all countries where democracy is practiced and where the minds of men are not encased in a strait jacket by political dictatorship.

The fact that a liberal institution such as the American University at Beirut has been able to continue and to grow through many years of political strife in this area is a tribute to the freedom-loving nature of the Lebanese people and to their yearning for intellectual development.

I would be less than fair if I did not pay tribute to the contribution which other cultures, notably that of France in the field of arts and sciences, and Britain in the field of government, have made to this part of the world. But my principal concern is to emphasize not the contribution of Europe and America to the Near and Middle East, but the reverse. I wish to acknowledge, on behalf of the American Delegation, our debt for the contributions we have received from the Middle East, and our recognition of the capacity and possibilities of this area to contribute much further to the advancement of knowledge and the betterment of mankind.

The United Nations Educational, Scientific and Cultural Organization holds its present meeting in a land of ancient glory and of future greatness. At the moment, this area is unfortunately torn with political difficulties of a tragic nature. The solution of a specific political problem is not the immediate concern of UNESCO. I know not how

the present difficulties of this area will be solved. But I do know that all of the problems which beset the world today will be well on the way to solution if the UNESCO concept of the essential oneness of humanity can be brought nearer to acceptance. It is to this task that we at this meeting address ourselves with every ounce of energy and urgency we possess.

The General Conference of UNESCO meets here to discharge its constitutional responsibility in determining the main lines of work of the organization. But this session of the Conference—like every session of the Conference—is more than a business meeting. We meet to rededicate ourselves to those great principles of intellectual freedom and mutual understanding which UNESCO's constitution proclaims, and on which the advancement of civilization rests. UNESCO seeks, through devotion to these principles to liberate humankind from mutual fear and suspicion, and to release man's creative energies for the constructive arts of peace. On behalf of the Delegation of the United States, on behalf of the Government and of the people of my country, I wish to affirm our unwavering support for UNESCO in the pursuit of this high aim.

The members of the U.S. Delegation have reviewed with close attention the report of the Director General on the work of UNESCO during the past year. The report will be carefully reviewed by the Commissions of this Conference and my observations here will therefore be directed to the work that lies ahead.

The Delegation of the United States endorses the view of the Executive Board that the program of UNESCO for 1949 should be a continuation with only minor modifications of the program approved last year at Mexico City. We should strive for a high degree of continuity and consistency in the program. Moreover, UNESCO must provide basic services of a continuing character which will not require reaffirmation by successive sessions of the General Conference. At the same time we must allow for necessary change and growth in the program. We may agree that some activities require expansion or redirection; others will be terminated or discarded. The newly appointed Director General should be given full opportunity to review the existing program and to submit his considered proposals at the next session. Accordingly, while at this session we refrain from major changes in the present program, we may well look to the future and encourage discussion of new ideas for the guidance of the Director General and the Executive Board. In this connection I am sure we shall wish to give consideration to the imaginative and provocative suggestions made by Dr. Huxley in his report.

I should like to congratulate Dr. Huxley and Dr. Laves on the clarity of the 1949 budget esti-

tes. It will be well understood that the United States Delegation, like every other delegation, has inescapable responsibility to subject the budget to the most careful scrutiny. The people of my country wish to be assured that the financial contributions they are making to international organizations are expended for projects which are well conceived and efficiently executed and which make finite contributions to the cause of peace. My colleagues and I hope to give that assurance concerning UNESCO in good faith and with sincere conviction. The General Conference will do well, therefore, to examine with particular care the proposed increase in the budget of the Organization and to ascertain whether certain economies cannot be achieved without impairing the effectiveness of the program.

In the view of our Delegation, it is essential that UNESCO should be able to point to a number of concrete and significant accomplishments. The report of the Director General gives ample evidence that the Secretariat has done a great deal of work; it is somewhat less convincing that that work has yet resulted in concrete accomplishments. People generally are not interested nor impressed by an account of committee meetings or conferences that have been held. They are impressed by finished jobs. I hope that this Conference will set a good example in one matter within its competence by opening to signature the first convention which UNESCO has drawn up—the convention to facilitate the exchange of visual and auditory materials of an educational character. It is now two years since this convention was drawn up at Paris, and the Director General was instructed to circulate it to member countries with a view to signature. It is high time we brought this matter to a successful conclusion. Our Delegation considers this to be a critical test of UNESCO's ability actually to accomplish a specific task.

I wish also at this point to urge that this Conference should state precisely and clearly the aim and method of each UNESCO project. When we approve a project, let us inform ourselves how it will be carried out and how it will be followed up, in order that it may enter into the stream of popular action. Let its contribution to peace and welfare be clearly understood by us, if we would ensure that our work be understood and approved by our people.

UNESCO draws its strength from its association with the United Nations and the other specialized agencies, from international voluntary organizations, from national commissions and cooperating bodies in each member state, and from the millions of people who hold UNESCO as both a symbol of the world society they desire and as an instrument for helping them to realize that aspiration.

The United States Delegation, therefore, be-

lieves that it is essential to review relationships between UNESCO and other international organizations. UNESCO may immeasurably augment its effectiveness by closer cooperation with the United Nations and the specialized agencies. It must cooperate at every stage of planning and of executing projects which are of common concern to other bodies. I would commend the efforts put forth during the past year to work out practical methods of cooperation, but I would urge that the General Conferences should not fail to review previous practice in this matter and to lay down policies for the future.

Alongside the agencies established by governments to forward international cooperation are the international organizations created by the voluntary efforts of private individuals. Here is another field where UNESCO may multiply its effectiveness many fold by sharing cooperatively its responsibilities and opportunities. The General Conference and the Executive Board have given much thought particularly to UNESCO's financial and administrative relationships with international nongovernmental organizations. Nonetheless, these relationships are still governed largely by historical accident and vary, without good reason, from organization to organization and from one department of UNESCO to another. The United States Delegation believes that in the coming year UNESCO should make a systematic study of these organizations in order that a consistent policy may be adopted and that UNESCO may fully utilize their resources for achieving its aims and carrying out its program.

Mr. Chairman, I want to make it clear that what I have been saying does not refer merely to the smooth functioning of administrative machinery. I am saying that this program of UNESCO which we shall approve must always be viewed as one piece in a vast program of world-wide cooperative endeavor. We believe that people throughout the world want to work together for peace and would welcome any opportunity to take part in this UNESCO program. I urge that all members of this Conference, as they sit in commissions and sub-commissions, search out opportunities for these millions of people to join in this work.

No article in the constitution of UNESCO is of more significance than article 7 under which member states undertake to establish national commissions or national cooperating bodies. The United States has proved in its own experience that a national commission can be an agency which unites the organized forces of labor unions, our farm population, religious and civic organizations, together with the intellectuals and the savants, in the service of UNESCO. We have from the first included representatives of such organizations on our National Commission. They have been a source of great strength. They carry the message

of UNESCO to every town and county in the country. They make insistent demand that we give them practical work to do to advance the aims of the program of this organization.

I must admit that we cannot always give a satisfactory response to this demand. It is the earnest hope of the Delegation of the United States that the program of UNESCO will develop steadily in the next few years along lines which not merely allow, but require, the active participation of the people in all lands. We hope, too, that we can make a significant start in this direction at this session of the General Conference.

I draw particular attention to the fact that the United States Delegation at the present Conference includes advisers from those two great organizations of labor in the United States, the American Federation of Labor and the Congress of Industrial Organizations. We regard adequate labor representation as an indispensable part of any UNESCO Delegation from the United States.

Understanding among peoples means understanding among all the people. Intellectual cooperation, in our view, must not be confined to cooperation among intellectuals. We must bring UNESCO to the masses and the masses to UNESCO.

Members of the Conference—UNESCO, like every organ and agency of the United Nations, has a heavy obligation to contribute, in its own sphere, to the central purpose for which the whole United Nations structure was created. This central purpose is the maintenance of peace and the betterment of mankind.

UNESCO's role in this general task is a vital one. UNESCO is *not* a luxury or a side issue, as some observers are inclined to believe. I am convinced that if UNESCO fails, the United Nations itself cannot succeed. UNESCO's particular task is to bring about better human understanding and sympathy among *all* the peoples of the world. I regret profoundly, as I know you do, that circumstances have prevented UNESCO from accomplishing more in this direction than it has. But I am fully convinced that UNESCO is one of the principal pillars on which a solid United Nations structure must rest.

I am aware that this view of UNESCO's importance is not universally accepted. Some people, in my own country as well as elsewhere, are inclined to think that UNESCO's contribution, while desirable, is not essential or even of major importance. Some, including persons as devoted to the United Nations as you or I, appear genuinely to believe that if a sufficiently powerful political and military organization can be built around the General Assembly and the Security Council, the question whether different peoples understand each other or cooperate will not matter very much, since, they contend, peace will be maintained by force anyway. Many of these self-styled "realists" think that we who are concerned with UNESCO are wast-

ing our time. They believe that understanding among widely divergent groups and interests is impossible of achievement and that the only effective peace machinery is one of force.

My colleagues and I on the United States Delegation emphatically reject that thesis. We believe that no political or military organization, however powerful, can impose a lasting peace unless there exists at the same time a considerable measure of mutual understanding and sympathy among the peoples of the world. Enough troops could not be found to accomplish the task unless they were aided by a large number of people of good will in whose minds the defenses of peace had been constructed. UNESCO's task is to foster these defenses of the mind which, once constructed, are more potent than all the concrete and steel that can ever be poured.

We believe, furthermore, that despite the present outlook the necessary degree of understanding among men *can* be developed and that the vital challenge to UNESCO can be met.

We are equally convinced, however, that human understanding can be achieved on one, and only one, basis—that of democracy. And we mean by democracy that body of concepts of human liberty and respect for the dignity of the individual personality which the world has always meant to us. It has been perverted during recent years by totalitarian movements which, in their police-imposed dictatorships, are the antithesis of democracy, but we do not intend to abandon the word merely because others may seek the advantage of its high connotation while destroying it in practice.

I do not refer, in speaking of democracy, to differing concepts or experiments in the production of wealth. I am not concerned, for example, with the decision of any people that their coal should be mined under government rather than private ownership, or with any other economic experiments which a free people may wish to undertake. We Americans are attached, by and large, to private enterprise, but if any nation can demonstrate a better method than has yet been found for producing wealth and distributing the fruits of a man's labors, the world will make a path to its door. Freedom to try new methods is one of the essential characteristics of democracy itself.

What *does* concern the United States Delegation is that human beings everywhere be given full freedom either to approve or to criticize the economic system in force or the administration in power. Human beings everywhere must enjoy the basic rights of free speech. Scientists and scholars must retain intellectual freedom to pursue their investigations. Creative artists must be free to express themselves. Ideas must gain acceptance in the free competition of the market place and not from the dictates of a governmental bureaucracy. Biological principles may no more be controlled

political dictatorship today than the discoveries Galileo could be altered by religious dogma four centuries ago. We are prepared, under democracy, to tolerate every idea except intolerance.

The conviction of the United States Delegation that UNESCO can succeed only on the basis of intellectual freedom is founded not on theory but on hard and bitter experience. Efforts were made, during the First World War, to achieve cooperation among the intellectual leaders of the world, and machinery was set up to accomplish its purpose. High hopes arose for its success. Gradually, with the suppression of thought by the Nazi and Fascist authorities, cooperation and understanding with scholars and scientists under these regimes grew progressively more difficult until it finally became impossible.

After the Second World War, UNESCO was established for the similar but broader purpose of achieving cooperation and understanding among all peoples. Its doors have always been open and will always remain open to those who subscribe to its purposes. Its success will depend on the number of doors UNESCO can keep open to the free flow of thought and expression throughout the world.

Despite the varying degrees with which democracy is practiced in the world (and my countrymen make no claims to Utopia in this respect), UNESCO must continue to strive diligently to bring all peoples together and to reduce the tensions con-

ducive to war. We regard the condition of the world today not as a cause for despair, but as a challenge, to UNESCO. Large numbers of governments and peoples are willing to cooperate, through UNESCO, on the basis of the democratic principles which motivate its Charter, and progress can be made, with steadfastness and courage, in bringing closer together minds which are now poisoned with hatred through misunderstanding.

But the minds of men in which the defenses of peace are built must be free minds. The human intellect will not be *chained*, and those who attempt it today are sowing the wind as recklessly as all tyrants who have tried it since the world began. It is strangely difficult for some people to understand this simple truth of history, but we of UNESCO should. We are the one agency of U.N. where this principle must be most clearly manifest. The future progress of UNESCO, the United States Delegation is convinced, lies along the path of freedom. Any other road leads to certain and dismal failure. Present-day quarrels are caused by bigotry and ignorance, and are fostered by governments which tell their people what they must believe and isolate them against other ideas. The free flow of ideas is our only salvation and UNESCO was created to bring this about.

Let the mind of man be free, and it will soar to undreamed heights of majesty. Let people understand each other and they will create a world order of peace and human betterment.

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¹ Printed materials may be secured in the United States from the International Documents Service, Columbia University Press, 2960 Broadway, New York City. Other materials (mimeographed or processed documents) may be consulted at certain designated libraries in the United States.

The United States and the United Nations

November 19-26

Trade Discrimination

An effort by Poland to get the General Assembly to condemn political use of "international trade discrimination" was defeated in the plenary session of November 26 by a vote of 33 to 6, with 8 abstentions. Only the Soviet Union and the other Eastern European nations cast affirmative votes for the resolution, which was aimed at discrediting the European Recovery Program.

In arguing for the resolution, identical to one recently defeated also in the Assembly's Economic and Financial Committee, the U.S.S.R., Poland, and Czechoslovakia alleged that the United States discriminates against Eastern Europe in its allocation of export commodities and is attempting through the ERP to prevent the growth of East-West European trade.

Willard Thorp, United States Assistant Secretary of State for economic affairs and alternate delegate to the Assembly, branded the Polish charges "highly inaccurate". He explained that such controls as the United States still maintains over exports "are administered to achieve equitable distribution of commodities in short supply, to make effective our efforts to assist ERP, and in the interest of our national security".

Recalling Soviet-bloc attacks on ERP in the Economic Committee, Mr. Thorp commented that ERP results "are already so evident, its promise so great, that those countries which more or less voluntarily decided not to join this cooperative effort seem increasingly compelled to explain over and over again their constantly changing reasons for their nonparticipation. At the same time, they complain increasingly that they cannot share the benefits of this cooperation, that they too cannot enjoy some of the assistance from the United States (called 'enslavement' in their new terminology) which they simultaneously attack and envy".

He accused Poland of trying to gain acceptance of "new concepts of what constitutes nondiscrimination in international trade" in direct conflict with those adopted by 50 nations in framing the Havana Charter for proposed International Trade Organization. What Poland was really seeking, Mr. Thorp asserted, was "approval of narrow bilateralism in all international trade and rejection of the multilateralism which alone can assure true equality among all nations large and small. If the United States or any other country wished to practice discrimination, whether for political or other purposes, then the clearly indicated course would be for it to base all its trade relations on bilateralism, for by that means trade pressures can be most easily applied".

Four Power Currency Control in Berlin

The United States, Great Britain, and France feel that Four Power control of Berlin's currency will be difficult to exercise in a city in which previous unified municipal administration under Four Power supervision is not fully functioning at present and is indeed being rapidly diminished.

This feeling was expressed in the Western powers' joint reply to Security Council President Juan A. Bramuglia's questionnaire to the four occupying powers on how quadripartite control of Berlin's tangled currency might be achieved. Mr. Bramuglia made the Western nations' reply public on November 26 along with the Soviet answer to the questionnaire.

"The representatives of the Western powers are anxious to provide all possible assistance in your examination of the Berlin currency problem", the joint reply notified Mr. Bramuglia. "They are continuing their study of possible solutions in light of current developments in Berlin. If you or your colleagues desire to enter into technical discussion on the details to be worked out, experts will be at your disposal."

The answers to President Bramuglia's questionnaire were as follows:

Question 1: "What organizations will exercise the quadripartite control of the financial arrangements on behalf of the four occupying powers?"

Western powers and the U.S.S.R. agree that a financial commission composed of representatives of the four Military Governors should be established. The West added that the commission should be responsible to the Military Governors.

Question 2: "What will be the functions of these quadripartite control organizations?"

The Western powers listed six functions: control money, credit, and banking matters; control banking and credit institutions to assure adequate, uniform facilities throughout Berlin without discrimination; to supervise and control the arrangements for introduction and continued use of the East mark as Berlin's sole currency; supervise and control the Berlin government's fiscal policies and budgetary arrangements; supervise and control the East mark's introduction as the sole currency and withdrawal of the Western B mark from circulation in Berlin; to supervise and control issuance of import and export licenses by the Magistrat.

The Soviets replied only that the commission should exercise functions envisaged in an agreement reached at Moscow on August 30 between Western envoys and Soviet leaders. (The directive never was placed in effect because the Soviet Military Governor in Berlin insisted on preeminent authority which was not provided for in the

moscow agreement, including control of the air-
operated by the United States and Great
tain.)

Question 3: "Over what operations and in what
a will the quadripartite control be exercised?"

The West answered that quadripartite control
ould cover all operations mentioned in the reply
question 2 and also cover the issuing bank's
rations pertaining to the East mark's introduc-
and use as Berlin's sole currency.

The Soviet Union replied that the commission
uld insure that there be no discrimination
he exchange of Western marks, equal treatment
accessibility to banking and credit facilities
all sectors of Berlin, observance of guaranties
isaged in the August 30 directive, maintenance
net balance of trade between Berlin and the
stern zones and third countries, and provision
sufficient currency for budgetary purposes and
occupation costs, and also the balancing of
Berlin budget.

Question 4: "What is the exact working of the
ective that must be issued to bring the quadri-
tite control into operation?"

The West said the four Military Governors
uld issue the necessary legislation, explaining
t "in the absence of sufficient agreement with
Soviet Government upon the content of this
islation, the Western powers have not at this
e attempted to draft it in detail".

The U.S.S.R. said the wording should corre-
d to the August 30 directive.

Question 5: "How will trade between Berlin
d the Western zones and third countries be con-
lled, including the issuance of import and ex-
t licenses?"

The Western powers replied that they "should
able freely to import food and fuel into their
tors of Berlin in fulfilment of their responsi-
ities for the health and welfare of the popula-
n, and should control the proceeds of the sale
Berlin of these imports". They added that
er trade should be conducted in accordance
h licenses issued by the Magistrat. "The Soviet
horities would automatically grant transit li-
ses through the Soviet zone in respect of such
de", they wrote.

The Soviet answer asserted that the proposed
adripartite commission should control trade
d "should also issue licenses for the import and
ort of goods on the basis of observance of the
balance, excluding the deliveries of food, fuel,
d electric power intended to supply the Berlin
pulation in the form of aid".

estine

The General Assembly Political Committee on
vember 16 named an informal working group
report on points of similarity in the various
olutions aimed at a political settlement in Pal-
ine which are now before it. In the group are

delegates of U.S., U.K., Australia, Colombia,
Poland, Guatemala, Syria, and the Soviet Union.

The Committee, in adjournment until Novem-
ber 27, plans to resume the Palestine debate when
the working group produces a paper "on which
intelligent discussion can continue".

Under consideration now are five separate pro-
posals submitted by the United Kingdom, Aus-
tralia, Colombia, Poland, and the Soviet Union.
In addition, the United States has submitted a
series of amendments altering the original British
text, and the United Kingdom has come forward
with a revised plan designed to meet some of the
U.S. suggestions. Guatemala also introduced an
amendment to a U.S. amendment.

Three of the proposed resolutions—those of the
United Kingdom, Colombia, and Australia—call
for establishment of a conciliation commission
charged with working out a permanent settlement.
The United States, in its amendments, supported
this move, urging that the commission be given
wide latitude in direct mediation of the Palestine
dispute.

Other U.S.-proposed changes in the original
British text would eliminate consideration of the
report of the late Count Folke Bernadotte as the
only basis for settlement, emphasizing that both
the Assembly partition plan advanced last year
and the mediator's proposals offer useful guides
for a negotiated agreement between Israel and
her neighbors.

Acting mediator Ralph Bunche transmitted to
the Security Council and to the Arab Govern-
ments an Israeli letter accepting the Council's No-
vember 16 resolution calling for armistice talks.
The Israeli Government expressed a preference
for direct negotiations with the Arabs, to begin
as soon as possible, but said if this is impracticable,
it is prepared to negotiate through U.N. inter-
mediaries. Dr. Bunche said that Egypt had re-
fused to talk peace either directly or indirectly
until Israeli forces withdraw to the positions they
occupied on October 14, the date when they
launched a successful drive to win control of the
Negev desert. Other Arab states have not replied.

The revised British proposal would authorize
the projected commission to consider any terri-
torial settlement "mutually acceptable to the
parties", and suggests that delimitation of fron-
tiers take into consideration both the original
Palestine partition resolution and the Bernadotte
report. However, it calls for a General Assembly
endorsement of "the specific conclusions" of the
mediator as "providing a practical means of giv-
ing effect to the principles" of the partition
resolution.

The Bernadotte report would require the Jews
to give up the southern Negev desert area in ex-
change for all of Galilee. The partition plan
would have awarded Israel the Negev, and as-
signed Western Galilee to an Arab state.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

The Eighteenth International Geological Congress

BY ELIOT BLACKWELDER

After having been postponed for eight years, because of World War II, the Eighteenth International Geological Congress met at London, from August 7 to September 19, 1948. For the past 70 years the geologists of the world have been holding such conferences at periodic intervals. The first of these meetings was at Paris in 1878, and the seventeenth at Moscow in 1937.

Each of the Geological Congresses is a unit, having only slender ties with the others. The initiative usually comes from a geological society or survey bureau of a particular country. The geologists request their own government to extend an official invitation to the Congress to hold its next meeting in their country. After the acceptance of such an invitation, the local geologists form a general organizing committee, which is widely representative of all the geologists and members of closely related professions in the country. This committee then sets up a practical organization to prepare for the Congress, to conduct it, and to issue its reports. Invitations are sent out by the host government to other countries, as well as to universities and other scientific institutions, asking them to appoint delegates to the Congress. At the opening meeting of the Congress these delegates meet under the chairmanship of the president of the preceding Congress or his representative and elect officers for the current session. Membership in the Congress is open to all geologists and to workers in related fields sufficiently interested to attend.

The formal meetings of the Eighteenth Congress occupied the last seven days in August 1948. Out of the 1,756 registered members, more than 1,400 actually attended the sessions. Among them were delegates from 57 countries, representing also 290 universities and other scientific institutions. Japan was represented by a geologist from the Supreme Commander for Allied Powers, and Germany (British zone) by two eminent German geologists, whose attendance was arranged by British geological organizations. Of the 124 members registered from the Union of Soviet Socialist Republics, seven came to the Congress—all official delegates of the Soviet Government. Next to the United Kingdom contingent, the largest was the 73-man group from the United States. The number would have been greater but for the difficulty

of obtaining transportation. Unfortunately, the American delegation did not include the leading officers of the United States Geological Survey or the Geological Society of America, who were unable to attend. In contrast to previous Congresses the representation from such geologically important countries as Germany, Austria, and Finland was very small. This was due largely to currency and travel restrictions. In spite of such difficulties, however, there were several delegates from China and India and even one from Burma.

In order to facilitate the presentation of nearly 400 technical papers, the meetings at London were divided into 12 sections, which met in the Royal College of Science, the Royal School of Mines, and the Royal Geographical Society, all of which were near the Congress headquarters at the Geological Survey building at South Kensington. The sections dealt with such subjects as the geology of the sea bottom, the geology and ore deposits of land, and zinc, the chemistry of the earth, the geology of petroleum, and the effects of earth movements on organic evolution.

To consider special problems there were various standing commissions and temporary committees which held meetings, reviewing the progress made in correspondence since the last Congress and laying plans for carrying on their work during the interim until the next Congress. Some of the commissions made reports and recommendations to the Council. One of them is working on the preparations of a geological map of the world, another on the geological aspects of the early history of man, and others on still more specialized subjects. One of the temporary committees considered ways and means of reviving one of several journals in geomorphology, all of which had ceased publication as a result of the war.

Before and after the meetings at London most of the members took advantage of the numerous excursions which had been arranged under the guidance of local experts in the various localities. The British Isles are a classic area for the geologist since much of the early development of the science took place there; and it is also a region of unusual geologic interest. Some of the excursions took the members to Scotland; others to southern England, the Lake District, Wales, Ireland, and other districts. The excursions had been carefully planned

advance, and the participants were supplied with special maps and printed guide books. The fruitful discussions of geologic problems in the field were, as always, one of the most profitable parts of the Congress. The opportunities covered many aspects of geology from the very ancient rocks of northern Scotland to the Pleistocene formations along the Norfolk coast and their close link with archeology.

A proposal to establish an International Union of Geology under the auspices of the United Nations Educational, Scientific and Cultural Organization (UNESCO) was vigorously debated but finally deferred until the next Congress.

In response to an invitation from the French Government, the next Congress is scheduled to be held at Algiers. While the Nineteenth Congress is unlikely to be as large as the one at London, it may be very instructive to geologists, especially those who are interested in the more arid regions.

Within the next year or two the Eighteenth Con-

gress will issue to its members one or more volumes of reports, containing the papers presented at the Congress. There will also be a special volume on the geology and ores of lead and zinc that should be timely in view of the critical shortage of these metals which now faces the industrial world, for the present supplies seem unlikely to last more than a quarter of a century.

The utility of such conferences as the International Geological Congress are plain enough to scientists in general. For the progress of geology it is necessary that geologists of the whole world meet from time to time to learn what they severally have been doing and to discuss their results. It is important that geologists be acquainted with each other so that they can better evaluate their own contributions. It is not the main purpose of the Congress to reach decisions on policies or scientific questions, but rather to promote the interchange of facts and ideas, which in turn makes for general progress.

Conservation of Fishery Resources in Northwest Atlantic To Be Discussed

The Department of State announced on November 15 that in view of the serious depletion of certain commercially important species of fish in the Northwest Atlantic, an international conference will be convened by this Government in Washington on January 26, 1949, for the purpose of discussing the development of means for formal international cooperation in the investigation and, where necessary, the conservation of the fishery resources in question.

As a result of an informal approach to various governments to determine the extent of current international interest in the fisheries of the Northwest Atlantic, invitations to participate at the January conference have been issued to the following countries: Canada, Denmark, France, Iceland, Italy, Newfoundland, Norway, Portugal, Spain, and the United Kingdom.

In its consideration of the need for international cooperative action, this Government has, of course, been particularly interested in the condition of those species in the Northwest Atlantic area fished by United States nationals. The backbone of the New England fishing industry is the otter-trawl fishery. This fishery brings to port the various species of very valuable bottom-living fishes. At the present time, the stocks of these species on the New England banks are at a relatively low average level of abundance.

The abundance of marketable-sized haddock is now at an all-time low. In an effort to continue bringing in haddock to satisfy the large demand, the industry has been forced to resort to fishing for immature and baby fish. This development is extremely unfortunate, for although admittedly it is increasing the present catch to a certain extent, it is seriously decreasing the potential production of this fishery.

Fishing for rosefish has been very heavy in recent years, and the abundance of this fish has been gradually reduced to the point where United States vessels have to steam much farther from port in order to find commercial quantities. Ten years ago, even five years ago, the bulk of the catch of rosefish was taken within 150 miles of Gloucester and Boston, in the Gulf of Maine and South Channel. Now many vessels are forced to travel to Sable Island and Banquero Bank, 500 to 600 miles from port, in order to return with a payload.

Catches of halibut have gradually dwindled through the years until today they constitute an insignificant quantity. The catches of cod from the New England banks are likewise reduced and accordingly an increasing number of lengthy and expensive trips to the Nova Scotian banks have become necessary.

The general scarcity of groundfish on the New England banks has not been disastrous to the fish-

ACTIVITIES AND DEVELOPMENTS

ing industry only because of the very high prices being paid for fish since the end of the war. Should a more bountiful supply of meat cause the price of fish to drop, the value of the United States groundfish landings, if they remain at the present low level, may be so small as to have a serious financial effect upon the domestic industry.

The United States otter-trawl fleet is at present larger than at any other time in history and, with protein food so much in demand, indications are that it will become even larger. In addition, the fleets of many foreign countries are rapidly expanding operations in an attempt to satisfy the great world food demand. The North Sea and other important European fishing areas have apparently become depleted to such an extent that they produce only a fraction of former poundages. It is possible that the depletion of European banks will result in a shift in the operations of many European vessels to the Northwest Atlantic. With the expected heavy exploitation of the fisheries of the Northwest Atlantic, the question of maintaining the highest possible level of productivity becomes increasingly important and urgent. The present scarcity of fish on the New England banks, and the probable increase in fishing pressure by our own and by foreign vessels, indicates the extreme value of providing means for determining if the decline of the fisheries can be stopped and if production can be increased in the future. For example, our fishery biologists are certain that the protection of small haddock would substantially increase the future landings.

A great deal of research would of course be necessary to find out how other increases, for haddock and for other species, could be obtained. To put into effect any changes which, as a result of such research, are found to be useful in increasing the production of these fisheries, some sort of regulation would be necessary inasmuch as voluntary changes have little chance of success.

The off-shore fishing banks of the Northwestern Atlantic are fished by nationals of many countries besides the United States. Thus, if the various New England States, or the Federal Government, regulated the fishing methods to be used by United States fishermen, while the other countries were free to use whatever methods they wished, little help would be afforded the fisheries. Regulations, therefore, must be put into effect by agreement of the various countries who, at present and in the future, fish the banks of the Northwest Atlantic.

Scientific study of these fisheries, a prerequisite to any regulations, would also be undertaken best on an international scale, with a pooling of scientific facilities and the knowledge of fishery experts of all the interested countries.

¹Not printed. For text of the draft convention see attachment to Department of State press release no. 901 of Nov. 10, 1948.

It is emphasized that the purpose of any regulations which might grow out of scientific study following an international fisheries agreement would be to increase the sustained production of these fisheries. It is not contemplated that any regulation would be recommended without adequate scientific evidence proving that the proposed measure will actually serve that purpose.

International interest in certain fisheries of the North Atlantic Ocean is evidenced by the fact that for centuries the nationals of North American and western and southern European countries have fished portions of this important area. As a result of such interest, a number of treaties dealing with accessory rights on shore and in adjacent waters have been developed and adjusted from time to time over the years. Until recently, however, consideration was not given to the desirability of formal international cooperation in the conservation and development of the fishery resources.

The increasing recognition of the seriousness of the existing and potential depletion of commercially important species of fish in the North Atlantic resulted in an international conference in London in 1937. It was at that time considered feasible to treat the entire North Atlantic as a single conservation unit. The international convention for the regulation of meshes of fishing nets and the size limits of fish which was concluded at this conference was accordingly designed to apply to the entire North Atlantic.

The 1937 convention did not enter into force and the British Government, therefore, convened other international conferences in London in October 1943 and April 1946 to reconsider this general problem. The United States was represented by an observer delegation at these international over-fishing conferences. After discussions with the other states contiguous to the Northwest Atlantic the United States suggested that there were actually two areas in the North Atlantic which were readily separable because of the nationals concerned and the problems involved. It was therefore proposed that consideration be given to the desirability of separate treatment for the Northeast and Northwest Atlantic. The agreement of the 1946 conference to this concept is evidenced by the fact that the convention which resulted from the work of the conference set the western boundary of the convention area at 42 degrees west longitude.

Since it has been agreed that it would be preferable to give separate consideration to the Northwest Atlantic, the United States Government, after consultations with the interested States of the United States and the New England fishing industry, has prepared a draft convention for use at the forthcoming conference.¹ The draft convention will be used only as a basis for discussion, and does not necessarily represent the position to be taken by this Government at the conference.

Ninth International Exhibition of Cinematographic Art

The Ninth International Exhibition of Cinematographic Art was held at Venice August 19–September 4, 1948.

This exhibition, the Festival of Music, and the Festival of the Theatre composed the "Biennale of Venice" for 1948 and were under the patronage of the Italian Government. The purpose of the exhibition was to give public acknowledgment to those films which testify to a genuine effort toward progress in this field as a means of artistic expression and the spread of culture between nations.

Chester A. Lindstrom, Chief of the Motion Picture Service, Office of Information, Department of Agriculture, represented this Government at the exhibition. The United States sent 24 specialized nontheatrical films for display, 11 of which were U. S. Government films. Other films were sent by the American Motion Picture Association.

Twenty nations took part in the exhibition: Austria, Argentina, Belgium, Czechoslovakia, Denmark, France, Germany, India, Israel, Italy, Mexico, Morocco, the Netherlands, Poland, Sweden, Switzerland, the Free Territory of Trieste, the Union of South Africa, the United Kingdom, and the United States.

Although the United States submitted only about 5 percent of the specialized films, it received about 8 percent of the awards. These awards were made by a jury composed of leading artists, critics, and journalists selected by the president of the Biennale from among Italian nationals and persons in no way connected with the production or exploitation of motion pictures.

Silver medals were awarded to *Naval Photography in Science* (Navy) and *Hurricane Circuit* (State). The United States won the second and third International Grand Prix with *The Fugitive* by John Ford and *Louisiana Story* by Robert J. Flaherty. The Grand Prix for musical score went to Max R. Steiner of the United States for his work in *Treasure of Sierra Madre*. David O. Selznick's *Duel in the Sun* won the "Coppa Cinecitta" (Movie City Cup) without specification. Walt Disney's *Melody Time* and Frenchman Paul Grimault's *Le Petit Soldat* tied for the best cartoon.

During the exhibition, the United States Delegate requested a meeting of the various foreign representatives to discuss and formulate recommendations for the future guidance of exhibition authorities in setting up film categories. Prior to the meeting, the United Kingdom and the United States Representatives drew up a set of suggested rules and regulations, and at the meeting these suggestions were presented and, with some additions and modifications, were adopted.

The categories, as moved on and adopted are:

(1) education (instructional teachers' films for classroom use, and informational background films); (2) medical films (including teaching and research films); (3) scientific films (for higher education or research); (4) propaganda films (including industrially sponsored films); (5) entertainment films (made specifically for children); and (6) art films (films of a cultural type on music, art, literature, and drama).

U.S. Delegation to Preparatory Committee Meeting of IMCO

On November 19 the Department of State announced that Huntington T. Morse, Special Assistant to the Commission, United States Maritime Commission, has been named United States Delegate to the second meeting of the Preparatory Committee of the Intergovernmental Maritime Consultative Organization (Imco), scheduled to open at Lake Success, New York, November 30, 1948. John W. Mann, Assistant Shipping Adviser, Department of State, has been named alternate, and John M. Cates, Jr., Division of United Nations Economic and Social Affairs, Department of State, will serve as adviser.

Delegates from the following 12 member countries of the Preparatory Committee are expected to attend: Argentina, Australia, Belgium, Canada, France, Greece, India, the Netherlands, Norway, Sweden, the United Kingdom, and the United States.

The Committee was established to function until the convention on the International Maritime Consultative Organization comes into force. The convention was drawn up at the United Nations Maritime Conference at Geneva, February–March, 1948, to which 32 governments sent representatives. It will come into force when ratified by 21 countries, 7 of which must have at least one million gross tons of shipping each. President Truman has transmitted the convention to the Senate with a view to United States ratification.

The agenda for the second session of the Preparatory Committee includes administrative and budgetary problems, the planning of a program for the implementation of the Committee's functions, and discussion of the draft agreement between the United Nations and the Imco. The first meeting of the Preparatory Committee was held at Geneva, March 1, immediately following the Conference which drew up the maritime convention.

THE RECORD OF THE WEEK

Helping the World To Know Us Better

BY HOWLAND H. SARGEANT¹

Acting Assistant Secretary for Public Affairs

"How can American education best promote international understanding?" is no ordinary query. It is a challenge to every one of us who believes in the vital role American education must play in the struggle to assure a free and democratic world. This is a subject which is receiving a great deal of careful—and I might say prayerful—attention in Washington. The United States Government is currently engaged in one of the most absorbing and exacting tasks in our history, the task of decisively defeating a powerful effort to destroy our way of life and at the same time preserving the peace of the world. It is because we hope, despite all the difficulties and dangers, to win this all-important struggle by peaceful means that education is one of the most effective weapons at our command. If we can succeed in preventing a resort to arms, we are confident that the peoples of the world will ultimately choose democracy as the system that assures them more freedom and greater material benefits than any other.

Here I want to emphasize that this is a task in which we all are involved and in which you who are engaged in foreign trade can play a doubly important part. The stakes are high. The brunt of the battle may be borne by the Government, but like modern war, this is a total effort in which we are all equally engaged, whether in a commanding or a supporting role. Whether as Government officials or businessmen, we must make our maximum effort in the same cause. We must find how we can coordinate our respective efforts to greatest advantage.

The best antidote for Communism is a universal sense of security and economic well-being. Therefore, the primary objective of the United States is the promotion of stability and recovery as the first prerequisites of a peaceful and prosperous world. This country is the principal source for the financial aid and the agricultural and industrial production required to restore war-wrecked economies and build up underdeveloped areas. But if world recovery achieved by these means is to continue and

yield maximum returns, a third ingredient is indispensable.

Only through the utilization of modern technical and administrative "know-how", of which the United States also is the primary source, can many of the peoples we aid capitalize fully on the reconstruction and development which they are so eager to carry forward. This third form of assistance is essential to make the first two most effective. Our partners in this cooperative enterprise need to build up a considerable corps of trained and competent technicians, specialists, and administrators to carry on the programs once they are well begun. Otherwise the gains first made with the impetus of American aid may be lost. Fortunately, this kind of help is far less expensive than the first two. Although our capital and production that can be spared for use abroad are definitely limited, our supply of exportable "know-how" is proportionately much larger. And even by the narrow standard of American self-interest, the benefits, both tangible and intangible, are considerable.

U.S. Experience in the Educational-Cultural Fields

How do we know? Because we have tried it. For ten years, the United States Government has engaged in a successful program of educational, technical, and cultural exchange with the other 20 American republics and the Philippines. This is the "pilot plant" for what is now becoming the world's greatest venture in educational exchange as a means of promoting international understanding, material well-being, and the conditions requisite for peace.

That undertaking is made possible by the enactment by the Eightieth Congress of the Smith-Mundt Act, now known as Public Law 402. The passage of this legislation constitutes congressional recognition that the world-wide struggle between democracy and Communism makes it imperative that the United States Government conduct a vigorous information and education program in support of our foreign policy. In the educational sphere, Public Law 402 authorizes the Department of State to extend to other parts of the

¹ Made before the National Foreign Trade Convention in New York City, on Nov. 8, 1948, and released to the press on the same date.

world the exchange arrangements hitherto limited largely to the other American republics and the Philippines. Another major phase of the educational exchange program is carried on under authorization of the Fulbright Act, which makes proceeds from the sale of surplus equipment abroad available to facilitate the exchange of students, teachers, and researchers.

Western Hemisphere Program

Let's look first at how the general program in the Western Hemisphere has operated. I won't bore you with the statistics, though they are impressive. The program has developed along several broad lines. This Government has participated with the Latin American countries in a number of scientific and technical projects on a cooperative basis. These cover a wide range of subjects. The test in each case is whether the project will further the aims of both the United States and the country involved. The usual method of operation is that this Government provides the services of technicians and specialists and the other country furnishes the physical facilities, such as land and buildings, and assigns personnel to work with our people. The programs have been carried out by many governmental and private agencies through the Interdepartmental Committee on Scientific and Cultural Cooperation and through the Institute of Inter-American Affairs.

Coffee Pulp

Some specific illustrations may be helpful. For example, Latin America produces a lot of coffee. The pulpy residue from the coffee bean was known to be good feed for cattle, but it remained a waste product because cattle didn't like the taste of it and therefore wouldn't eat it. At a cooperative experiment station in El Salvador, American and Salvadoran researchers mixed other ingredients with the coffee-bean pulp and evolved a formula that made the material palatable to milk cows. So this waste material can now be used as a substitute for corn. If all the coffee pulp in Latin America were converted to cattle feed, it would provide the equivalent of about 34 million bushels of corn a year. This is significant for both the health and the economies of those countries which are now producing only a small percentage of the milk their people need.

Civil Aviation

American civil-aviation technicians have been working in a number of Latin American countries for several years, helping them develop airports and other aspects of their air-transport systems. We can see how important these projects are when we realize that some parts of Latin America have jumped almost overnight from the era of the ox-cart to the era of the airplane, because of the general lack of railroads and highways.

Population and Agriculture Census

American statistical experts are now in the countries to the south helping plan for the first comprehensive hemisphere-wide census of population and agriculture to be taken in 1950.

The start of adequate periodic censuses in all the American republics, covering population, agriculture, mining, industry, exports and imports, and other important economic data, is of course tremendously important to us all.

This kind of practical and effective assistance is provided only after the other government has requested it and after the proposal has been carefully examined and approved by this government. The proportion of the total cost borne by the other governments has progressively increased. During the last fiscal year their aggregate contributions were more than double the contribution made by the United States.

Exchange of Professors and Specialists

The two-way transfer of knowledge and culture between this country and the other American republics is accomplished in still other ways. This Government facilitates the visits of outstanding professors, specialists, and graduate students of the other Americas to the United States for work and study in educational, governmental, and private institutions. During the 1947-48 academic year, nearly 5,000 students from Latin America were studying in the United States. Of this number, 162 were given grants-in-aid by our Government. Many others who received no direct financial aid were assisted in countless ways through the missions abroad, the reception and orientation centers in this country, and the skilled staffs of the United States governmental and private agencies working together in this important field. Similar assistance is provided to enable industrial and government personnel to come to this country for on-the-job training. Those who are selected usually take an orientation course upon their arrival and then are assigned to an educational institution, an industrial plant, or a government agency for intensive practical training for several months.

Not only are we bringing the people of Latin America—as many as possible—to us. We are taking ourselves, in some measure, to them. Professors, research scholars, and students from the United States are encouraged and assisted to travel and work in Latin America. The libraries and cultural centers maintained partly with the financial support of this Government throughout Latin America are focal points of contact between increasing numbers of the people of those countries and the United States. The libraries emphasize reference services and the lending of American books. The heaviest demand in many places is for material of a scientific and technical nature.

Cultural Centers

The 28 cultural centers are literally that—places where the peoples of our neighboring countries gather with Americans resident there, become acquainted with American literature, American music, American art, hear visiting American lecturers, and learn English in classes taught by both American and local teachers. These classes are important for several reasons. They are one of the chief attractions. At São Paulo, 5,000 Brazilians are learning English from American textbooks at the center. They, and their counterparts in other centers, pay for these lessons. The revenue from the classes and other local sources now provides more than 60 percent of the money for maintaining the cultural centers, leaving about 40 percent to be paid by this Government. I think you will agree that this substantial degree of local support entitles the centers to the autonomy they enjoy by virtue of being controlled by local boards, usually composed of an equal number of resident Americans and nationals of the country.

American-Sponsored Schools

The United States Government provides assistance to some 270 American-sponsored schools in Latin America, and in the case of the independent-type schools, provides modest financial aid. These schools offer an American-type education primarily for the children of the countries in which they are located. In addition they furnish schooling for children of American residents, thus serving as an additional means of educational exchange.

This, in brief outline, is the educational-exchange program that we have been conducting with the American republics for the past ten years. What have we got out of it? Obviously, anything like an exact estimate in dollars and cents is impossible, though the material benefits have been considerable. I could cite instances of orders being placed for American road-building machinery as a result of a visit of Latin American highway engineers to this country under Government auspices. I could point to sales of laboratory and hospital equipment to Latin American institutions directed by professional people who have studied in this country as recipients of government grants. But these are merely by-products. I could point to the several million people who have learned English at the cultural centers. I could refer to definite economic gains made in certain regions and countries as a result of cooperative research and demonstrations by teams of North American and Latin American technicians.

Estimate of the Program

The greatest, most valuable, benefits cannot be measured because they are intangible. They exist in the minds of the people who have been influenced in some degree and in some way by these

activities—both our own people and the people of our neighbors to the south. We know that the ties of friendship and respect between our countries have grown immeasurably stronger, because they are based on greater understanding and more intensive personal experience.

A representative of the State Department recently made a short visit to the Caribbean and the upper part of South America. She noted that in Venezuela the Foreign Minister was a man who had traveled in the United States in 1944 by means of a grant by this Government. She found that the director of the National Library had studied here in 1947 and was applying North American library techniques in his own country. The Venezuelan Ambassadors to Colombia, Cuba, and the Court of St. James are all men who visited the United States on travel grants in 1943.

This representative found that the present Foreign Minister of the Dominican Republic had investigated the universities and state education systems of this country on a grant made in 1943. The director of the Municipal Library at Havana spent three months at the Hispanic Foundation of the Library of Congress in 1944 while receiving a grant. After studying museum management and techniques here in 1944, a public-spirited Colombian woman returned home to take the lead in founding the new National Museum and is now its director.

Perhaps you will say that I am partisan and that my estimate of the program should be discounted. Let me quote a few of the comments made at the first meeting of the United States Advisory Commission on Educational Exchange by Dr. Jorge Basadre, of Peru. He is now director of the Department of Cultural Affairs of the Pan American Union, and is himself a former recipient of a travel grant.

Dr. Basadre commended the quality of the teaching of English in the cultural centers and observed that, as a result of this activity, among others: "The dream of a boy or girl in our growing middle class nowadays is to travel in the United States." As a consequence of the program as a whole, Dr. Basadre said: "The United States has now among the best professional, academic and specialized groups of Latin America, real friends who have worked side by side with American scientists, technicians, scholars and administrators and who have seen the way Americans live and how they think."

The effect has been to create in Latin America a climate of opinion more favorable to the United States and more enduring, because it is more broadly based on the personal interests and experiences of a larger element of the population.

The best proof from our own viewpoint of the practical value of the broad program of educational exchange with the other American republics—the ultimate accolade, in my opinion—is the

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decision of the Eightieth Congress to authorize its extension to the rest of the world. And what the rest of the world—that part which is free to express an opinion, at any rate—thinks of this respect is best measured by the fact that the requests to this Government for cooperative exchange projects are many times greater than can be met from our present budgets. The recommendation of the Senate Committee on Foreign Relations, reporting out this legislation last January, is worth recalling:

"... the committee believes that the enactment of the bill is essential if we are to have mutual understanding between the people of the United States and the people of other nations which will serve as a firm and lasting foundation for world peace."

World-Wide Program Under Smith-Mundt Act

Some people, even in this country, overlook the fact that the Smith-Mundt Act authorizes a world-wide educational exchange program on the part of this Government, but is not an appropriation act. Therefore, as a practical matter, any large-scale expansion of the program beyond the Western Hemisphere depends on the future appropriation of funds for that purpose. However, a number of foreign governments are so eager to take advantage of the enabling legislation that the exchange of persons with other countries has already begun. Their governments are reimbursing our government agencies for the services of American specialists on loan and are paying the way of the first wave of their specialists sent here for training.

It is true also that we already have libraries and reading rooms in a number of other countries outside this hemisphere, as a result of the wartime activities of the OWI, and these are being expanded and increased. Please do not think of these libraries as mere collections of books. That would be a serious mistake. Libraries are people. Our librarians are ambassadors of ideas. Through their work, thousands of people in many countries have developed the habit of going directly to United States information libraries—as well as a high degree of confidence in what they find there. It is true also that even with our present budget we are able to cooperate with private institutions and agencies in effecting an exchange of persons with a number of countries. The fact is that educational institutions and private agencies were the pioneers in this kind of exchange, and when the government entered the field as a latecomer it was primarily as a supplementary and facilitating agency.

Although the Smith-Mundt Act throws the full weight of the Government behind this work and makes possible an increase in its scope in keeping

with the requirements of present world conditions, we will continue to utilize the experience, the organization, and the programs of private agencies to the greatest possible extent. Last year, for example, the State Department branch for voluntary programs assisted some 400 organizations, including groups concerned with industrial training of people from other countries. The Government will continue to play a supplemental role.

Benefits Under Fulbright Act

The benefits of cooperation between Government and private agencies are well illustrated by the initial undertakings under the Fulbright Act. You will recall that the funds made available by this act consist only of the currencies of other countries and do not include dollars. The foreign exchange funds can be used to finance the studies of American students and the work of American teachers and researchers at educational institutions, either American or local, in the countries which sign the Fulbright Act agreements with the United States. Foreign nationals studying in American institutions in other participating countries also may be aided. Foreign nationals studying, teaching, or doing research in this country, however, can be aided only to the extent of travel expenses payable in foreign currencies. To receive such aid, the recipient must show that he can maintain himself with dollar funds while in this country studying at or working in connection with an approved educational institution.

This Government has now signed Fulbright Act agreements with eight countries and is working toward agreements with twelve more. Thus far, every applicant found eligible for a travel grant to this country on Fulbright funds has been able to qualify as to maintenance here, thanks to scholarships, grants, and other forms of aid from private agencies. This sort of practical cooperation makes both Government and private funds go further and swells the flow of the exchange of persons.

I would hesitate to hazard a guess as to the number of Americans and other nationals who will eventually benefit from the Fulbright program, but it will run into the thousands. So far, about half the beneficiaries have been Americans going abroad and about half, foreign nationals coming here. We hope that something like this ratio can be maintained throughout the life of the program.

Reciprocal Nature of the Educational Exchange Principle

I want to emphasize this two-way nature of the educational exchange principle. Perhaps my discussion of the programs already in effect has given the impression that the United States is in a position to give much more than it receives—that it is

largely a question of exporting our technicians and know-how to other countries. If I have inadvertently given that impression, let me hasten to correct it. By its very nature the exchange program provides benefits to both sides, and if we in the United States do not take full advantage of our opportunities, it will be our own fault. We of all people—we whose culture, science, institutions, even ourselves, are the composite products of all nations and people—should appreciate how much we stand to gain through the enrichment of our own lives by what we can learn from others. Our whole country will benefit immensely from the new viewpoint and increased understanding acquired by the thousands of Americans studying and teaching in other lands under the Fulbright program, as well as from our contacts with the thousands of foreign nationals who live among us for a while.

Primary Aims

What is the real purpose of all this effort? Is it the spread of knowledge and skills—the teaching of ingenious techniques of which we are justifiably proud—the cultivation of an insubstantial though comforting aura of good will? Is it the stimulation of a greater demand for American products? These are worth-while by-products. They are not our primary aims.

Our paramount purpose, I submit, must be the cultivation at home and the encouragement abroad of the living, dynamic spirit of democracy. We do not invite these guests into our national home to indoctrinate them with ready-made opinions or to spoon-feed them prescribed doses of American culture or thought. We welcome them so that they may partake with us, on equal terms, of a way of life which we believe offers the greatest opportunities for the growth and development of the individual, the nation, mankind. We invite them to experience and to observe American democracy with an inquiring mind and a discerning eye. They are free to judge us as they see fit. They are exposed, as we are, to the clash of contending views. They may examine our defects, and appraise the sincerity and vigor with which we strive to correct them.

In encouraging throughout the world the political principles of democracy, education and educational exchanges are and will continue to be of tremendous importance. I am personally concerned that the present conflict in the world is a clash between two political systems. One is based on democracy, the dignity and freedom of the individual. The other is based on the police state, the concentration camp, thought control, and suppression of human liberties. Many of us today believe that we should maintain and broaden educational contacts, among both democratic and totalitarian nations. For education can lead

strongly and vigorously in the ultimate transformation of the present precarious peace into enduring peace.

The United States Advisory Commission on Educational Exchange, under the chairmanship of Chancellor Harvie Branscomb of Vanderbilt University, has been energetically studying this problem. At its October meeting, the Commission advised the Secretary of State—

1. The greatest usefulness of educational exchange programs will be in relation to the democratic countries of the world, which are glad to avail themselves of its reciprocal advantages;

2. Since for the present most of the European governments are unwilling to reciprocate, and the Smith-Mundt Act laid down the principle that all official exchanges should be upon a reciprocal basis, it is not recommended that the United States sponsor government-supported exchanges with them “until their governments show evidence of cooperation in the mutually helpful and friendly spirit of the Act”;

3. But the Department of State should not close the door to the many unofficial opportunities for contacts and exchange of persons with these countries, the Department should facilitate the exchanges initiated and supported by voluntary agencies.

The Commission, pointing out that such an exchange will require careful control, said succinctly:

“To cut off contacts with the totalitarian nations of the world because of fears as to what might happen to democratic institutions through such contacts would imply a weakness which has no justification in fact. No army ever burned bridges except in retreat. The democratic way of life is not now in retreat.”

We must never forget the distinction that has been drawn by Chairman Branscomb—that the objective is cultural and educational *exchange*, not *penetration*. The philosophical basis of our effort is the assumption that the other parties to the arrangement are as well qualified and as determined as we are to shape their thinking by the democratic process. Not by the imposition of a preconceived, inflexible dogma, but by the free access to information, interpretation and opinion from a wide variety of sources. We are dedicated in our dealings with other peoples as well as with ourselves, to maintain and defend the free competition of ideas. We are dedicated to guarantee the individual the right to reach his own conclusions by the process of unfettered reason and the exercise of his own judgment. The continuous operation of this process is basic to democracy.

(Continued on page 681)

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Oklahoma Submits First Electors' Certificate

[Released to the press November 19]

The Department of State received on November 9 the first certificate of ascertainment of electors for President and Vice President as a result of the national election held on November 2.

The first certificate received in Washington is from Governor Roy J. Turner of Oklahoma and is dated November 15. The certificate, under the seal of the State, gives the names of all candidates appearing on the State ballot to be electors of President and Vice President, and the votes received by each party's candidates. Certificates which will by law be received from all States will contain the same information, so that the 48 certificates from the States will together show the total national vote, for President and Vice President, as determined by the laws of each State.

The lapse of time between the known result of the election and the preparation of the certificate of ascertainment of electors is due to the official accuracy required in the certificate. The election authorities in the voting units of each State must be certain of their counts before reporting them to the State Board of Elections or other officials in accordance with the State law. The certificate cannot be made until the records are complete for each State as a unit. This usually takes several weeks. In 1944 the national election was held on

November 7 and the first certificate was received on November 29, while the last one was delayed until January.

The purpose of the certificate of ascertainment of electors is to provide necessary information to the Congress, which canvasses the votes of electors and declares therefrom the names of the persons chosen to be President and Vice President. The certificate designates, under seal of the State, the persons chosen by majority vote of the electorate to perform the function of electors. The electors, who equal in number the delegation of the State in Congress, will sign and certify their separate ballots for President and Vice President at their meetings in each State next December 13.

The Secretary of State will transmit to the President *pro tempore* of the Senate and the Speaker of the House of Representatives copies of the certificate of ascertainment of electors.¹ This provision of the law enables each House of Congress to assure itself that the ballots for President and Vice President have been cast by the duly appointed electors.

The certificate of the Governor of Oklahoma shows that only two parties participated in the election of November 2 in that State. The Democrats polled 452,782 votes and the Republicans 268,817, a total of 721,599.

TEXT OF CERTIFICATE

STATE OF OKLAHOMA EXECUTIVE DEPARTMENT

Certificate

WHEREAS, there has been certified to me by the State Election Board of the State of Oklahoma, as the result of the final ascertainment, under and in pursuance of the laws of the State of Oklahoma, of the general election held in said State, on the 2nd day of November, 1948, to elect Presidential and Vice-Presidential Electors as provided by the Constitution and laws of the United States of America, and

WHEREAS, from an examination of said certificate I find that the law covering such election has, in all things, been observed, and that such election was duly and regularly held, and

WHEREAS, it appears that in said election the following named persons, who constitute all the candidates for Presidential and Vice-Presidential Electors, for whose election any and all votes have been given or cast, each received the number of

¹ BULLETIN of Nov. 7, 1948, p. 587.

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votes set opposite their names for Presidential and Vice-Presidential Electors, viz:

Name	Politics	Votes Received
Tom G. Drake	DEMOCRATS	452,782
W. D. Hastings		
Johnson D. Hill		
S. D. Williams		
Oscar E. Wyatt		
Ray A. Martin		
Johnston Murray		
John E. Turner		
Floyd W. Ball	REPUBLICANS	268,817
Tom C. Greer		
Wayne Anderson		
Perry F. Brown		
Robert E. Lee		
Charles C. Hawk		
Homer L. Biggerstaff		
Thomas G. Jackson		
Roy B. Hall		
Warren B. Morris		
John Adams		
John Fry		

Now, therefore, I, Roy J. Turner, the Governor of the State of Oklahoma, by virtue of the authority vested in me by law, do hereby declare, proclaim and certify that:

Tom G. Drake	DEMOCRATS
W. D. Hastings	
Johnson D. Hill	
Oscar E. Wyatt	
Ray A. Martin	
Johnston Murray	
John E. Turner	
Floyd W. Ball	
Tom C. Greer	
S. D. Williams	

each having received the greatest number of votes for the offices of Presidential and Vice-Presidential Electors of the State of Oklahoma, are each and all of them duly elected to such offices, and by virtue thereof, are entitled to all the rights, privileges, immunities, and emoluments pertaining to said offices.

In witness whereof, I have hereunto set my hand and caused these presents to be attested by the Great Seal of the State of Oklahoma, this the 15th day of November, in the year of our Lord, Nineteen Hundred and Forty-eight, and of the Independence of the United States of America the One Hundred and Seventy-third.

ROY J. TURNER

The Governor of the State of Oklahoma

Attest:

WILLIAM CARTWRIGHT

*Secretary of State of the
State of Oklahoma*

President Asks for Legislative Programs

[Released to the press by the White House November 8]
Text of a letter which the President has sent to the heads of departments and agencies of the Government

November 6, 1948

"DEAR—

You are requested to submit to me by November 29, 1948, the subjects which you would propose for inclusion in the State of the Union message and the Economic Report of the President to be presented to the Congress in January, 1949, together with a brief explanation of each subject, its relationship to the current activities and plans of the Commission, and the relative emphasis which you would recommend. You should include any views which you may care to present at this time concerning special Presidential messages during the forthcoming session of the Congress. Your reply should be forwarded directly to me at the White House.

You are also requested to submit by November 29, a report on the proposed legislative program of your Commission. Your report should show (1) the subject matter of all legislation which you desire to propose for consideration at the forthcoming session, (2) the state of readiness of legislative drafts and supporting material, (3) reference to the bills and House or Senate reports in the 80th Congress concerning the subjects covered in your program, together with a brief appraisal of the adequacy of these bills, (4) your views on the timing of introduction and Congressional consideration, and (5) the names of other departments and agencies which, in your judgment, are interested in the same subjects. While these reports should be as complete as possible, supplementary listings may be submitted until December 15, 1948, but it is expected that your legislative program will be fully developed by that date. These legislative reports should be forwarded to me through the Director of the Bureau of the Budget. They will not, of course, replace the individual submissions required by Budget Circular No. A-19.

Ten copies of your replies to these requests will be required for use in the Executive Office. The White House staff, the Council of Economic Advisers, or the Bureau of the Budget may make additional requests for material or arrange for discussions with your representatives to whatever extent may be required.

Very sincerely yours,

Harry Truman

Registration Regulations of Polish Securities Held by Americans

[Released to the press November 19]

The attention of American owners or custodians of Polish securities issued to bearer prior to September 1, 1939, is called to regulations of the Polish Government whereby these documents must be registered prior to March 15, 1949, in the names of the owners thereof, or become invalid. The regulations apply to all shares, bonds, notes, and other evidence of indebtedness except documents issued to bearer by the Government, documents issued outside of the country, coupons, bank notes and other documents payable at sight, and documents containing a nonannulment reservation. The uniform text of the pertinent decree-law as amended on April 14, 1948, is contained in the Polish Journal of Laws No. 22, as Item No. 88. Article (4) thereof provides that the registration of documents abroad will be conducted by consular offices of the Polish Government, the locations of which in the United States are:

49 East Cedar Street, Chicago, Ill.;
1864 National Bank Building, Detroit, Mich.;
151 East 67th Street, New York, N. Y.;
49 North Craig Street, Pittsburgh, Pa.

Registration requires the full name, address, and signature of the owner, his or her nationality, citizenship, and statement regarding when and from whom the documents were purchased. The documents themselves should be presented for the pertinent information concerning registration to be noted thereon. If lost or destroyed while in the possession of juristic persons recognized by public law, registration may be effected by certificates issued by such entities on the basis of preserved books or other written proofs. These certificates should include an exact description of the lost or destroyed documents including their serial numbers and other pertinent information. Certified copies of these certificates are to be attached to the registration records.

The decree-law further provides procedure for the invalidation of any bearer documents lost, destroyed, or stolen between September 1, 1939, and December 17, 1945, if application is made prior to March 15, 1949. A full description of these documents with proof of possession and loss must be presented for final determination by competent Polish courts to whom lists of registered documents are to be delivered by the registrars.

Mexico Pays Seventh Annual Claims Convention Installment

[Released to the press November 19]

The Chargé d'Affaires ad interim of Mexico, Rafael de la Colina, has presented to Paul C.

Daniels, Director of the Office of American Republic Affairs, the Mexican Government's check for \$2,500,000 (United States currency) representing the seventh annual installment due to the United States under the claims convention concluded November 19, 1941. Mr. Daniels requested the Chargé d'Affaires to convey to his Government an expression of this Government's appreciation.

Under the terms of the convention, Mexico agreed to pay the United States \$40,000,000 (United States currency) in settlement of certain property claims of citizens of the United States against the Government of Mexico as described in the convention. Payments heretofore made amount to \$21,000,000. With the present payment of \$2,500,000, the balance remaining to be paid amounts to \$16,500,000 to be liquidated over a period of years by the annual payment by Mexico of not less than \$2,500,000 (United States currency).

Status of Treaties To Avoid Double Taxation

The Department of State announced on November 15 that discussions will open in Washington before the end of February between American and Norwegian technical experts looking to the conclusion of treaties for the avoidance of double taxation and for administrative cooperation in prevention of tax evasion with respect to income taxes and to taxes on estates of deceased persons.

On November 19 it was announced that similar discussions are contemplated at an early date between American and Italian technical experts.

If the discussions are successful and bases for agreements are found, they will result in the preparation of draft treaties which will be submitted by the negotiators to their respective Governments for consideration with a view to signing.

In preparation for the discussions, the American delegation will welcome conferences with interested parties or statements and suggestions from them concerning problems in tax relations with the two countries. Communications in this connection should be addressed to Mr. Eldon P. King, Special Deputy Commissioner of Internal Revenue, Bureau of Internal Revenue, Washington 25, D. C.

In effect at the present time are six tax conventions with four different countries—treaties dealing with income taxes with Sweden, France, Canada, and the United Kingdom, and those covering death taxes with Canada and the United Kingdom. Treaties for the avoidance of double taxation of income have been signed with the Netherlands and

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Denmark and approved, with reservations, by the United States Senate. The treaties have been approved by the Parliaments of the Netherlands and Denmark.

A treaty with France, revising the income tax treaty of 1939, which will remain in effect, and covering estate taxes in addition, has also been approved by the United States Senate. Similar action has not yet been taken by France.

A draft income tax convention with Belgium, which was formulated in 1946, was signed October 28.¹ Final agreement on a similar convention with Luxembourg is anticipated in the near future.

A convention for the avoidance of the double taxation of incomes by the United States and the Union of South Africa was signed in December 1946. Another on the double taxation of estates was signed by the two countries in April 1947. These two treaties, as well as one with New Zealand, are now pending before the United States Senate Foreign Relations Committee.

General Marras of Italy To Visit United States

[Released to the press November 18]

General Omar Bradley, Chief of Staff, U. S. A., who last year visited Italy, has now invited General Efisio Marras, Chief of Staff of the Italian Army, to visit, in turn, the United States.

General Marras will be in the United States for about 15 days and will visit the principal military schools and training centers.

Panamanian Journalist and Educator Visits United States

The Department of State announced on November 19 that Gil Blas Teixeira, prominent newspaperman, writer, and educator of Panama, has arrived for a three months' visit in the United States, during which he will visit educational institutions and observe the functioning of the American press and radio. His visit has been arranged under the travel-grant program of the Department.

After two weeks in Washington, Mr. Teixeira will visit Philadelphia, New York, and Boston. He has been invited to give addresses at Colgate University and Tipp City, Ohio, and will later visit Chicago and points in the southwest. The remainder of his itinerary as now planned includes Chicago, Salt Lake City, the Grand Canyon, San Francisco and Los Angeles, the Palomar Observatory, points in New Mexico and Texas, and New Orleans.

¹ BULLETIN of Nov. 7, 1948, p. 585.

Educational Exchange Program for 1950 Reviewed

[Released to the press November 16]

An item-by-item review of the State Department's plans for educational exchange during fiscal year 1950 was undertaken by the United States Advisory Commission during its two-day session in Washington on November 15 and 16.

Scrutinizing the various cooperative projects scientific, technical, cultural, and educational exchange sponsored or assisted by the United States Government, the Commission commenced review of the Department's 1950 program plans with a view to making its recommendations to Congress.

"It is our purpose to determine as nearly as possible the relative needs for and the relative value of each phase of the exchange program," explained Dr. Harvie Branscomb, Chairman of the Commission. "This requires evaluation of the extent and scope of each operation of the entire program. And we want to be assured that the government is utilizing existing private agencies wherever possible. We want to be satisfied that we are getting the maximum value for every dollar spent."

The Commission devoted major attention to plans this year which call for additional funds to make possible the extension of cooperative educational and cultural projects to Europe, the Near East, and Africa, and the Far East. These projects were authorized by the Smith-Mundt Act which was passed by the last Congress. Prominent among the activities planned in this expansion is an increase in the number of United States libraries abroad and an enlarged program of exchange of students, teachers, and specialists. The methods by which these programs will be set up on a two-hemisphere basis received serious study by the Commission.

Key officials of the Department having responsibility for administration of the exchange program attended the sessions to answer queries of the Commission and to supply technical data. Among those present were Howland H. Sargeant, Deputy Assistant Secretary of State, and Dr. William C. Johnstone, Jr., Director of the Office of Educational Exchange.

In addition to Dr. Branscomb, Chancellor of Vanderbilt University, the Commission includes Mark Starr, Educational Director of the International Ladies Garment Workers Union; Harold Willis Dodds, President of Princeton University; Karl Taylor Compton, President of Massachusetts Institute of Technology; and Martin P. McGuire, Professor at Catholic University. Mr. Starr serves as vice chairman.

The Commission will convene again on December 13 and 14, and it is expected that final recommendations will be forthcoming at that time.

S. Education Foundation Makes Plans for 1949

[Released to the press November 18]

Alan G. Kirk, American Ambassador to Belgium and Luxembourg, announced on November 17 that the board of the United States Education Foundation, established to carry out student exchanges under the Fulbright agreement, has held its first meeting and was able to reach tentative agreement on its program for the calendar year 1949.

The act was signed by the United States, Belgium, and Luxembourg on October 8.

The Ambassador, who acts as honorary chairman, also made public the names of the directors of the Foundation and its officers. They are: for the United States, Douglas MacArthur, first secretary of the American Embassy, chairman; Eric Voegelin, labor attaché of the American Embassy, treasurer; Mrs. Alice R. Hager, press and cultural attaché of the American Embassy; Col. Robert P. Hieger, education member; William Burr Gregg, business member. For Belgium, Gaston Vandegheete, general director for Higher and Secondary Education, Ministry of Public Instruction; Jan Willems, director Belgo-American Educational Foundation for Luxembourg; Dr. Henri Dautsch, surgeon, and director of State Veterinary Research Station in Luxembourg.

The board will open an office in the Fondation Universitaire, 11 Rue d'Egmont, Brussels, about the first of the year and has appointed Jacques Marie-Ghislain van der Belen, secretary, Belgo-American Educational Foundation, as executive officer.

The program for exchange of students during 1949 will be submitted to the Secretary of State of the United States for his approval as is required under the act. When final negotiations are completed, public announcement will be made of the time and place for receipt of applications from candidates for up to \$150,000 in Belgian francs which will be available each year for the fellowship awards.

American To Teach Public Health Course at University of Chile

[Released to the press November 18]

Social medicine and public health will be the subjects of a course of lectures at the University of Chile to be given by Brigadier General Edgar E. Hume, U.S. Army, who is visiting Chile for this purpose at the special invitation of the University Rector, Sr. Juvenal Hernandez.

General Hume arrived in Chile on November 17 and on November 19 he will open a new 120-bed

Chilean Army tubercular hospital which will bear the name of Franklin D. Roosevelt. The institution, which is located at Guayacan, about 25 miles from the capital city, Santiago, was constructed jointly by the Chilean Government and the Institute of Inter-American Affairs at a cost of \$300,000, to meet a keenly felt demand for such medical facilities.

Helping the World To Know Us Better—Continued from page 676

I doubt very much whether anyone, however gifted, can really teach democracy. It can only be learned—often by ways we know not of. A Brazilian industrialist came to this country recently to study our rural free delivery system, an institution unknown in Brazil. He lived with a farm family and observed the life of their community. He learned the intricacies of R. F. D. with little trouble. But when I attended a luncheon with him in Washington before he returned home, the impression that kept recurring to his mind, with undiminished vividness, was something we take for granted—the way the trustful postman leaves letters, newspapers, even packages in open, unattended country mailboxes, from which they are taken only by the rightful owner. To my Brazilian acquaintance that was the clincher for American character.

By all means, let us open our doors, as wide as we can, to our neighbors, and invite them to join with us in the search for truth and understanding. But let us never swerve from one steadfast purpose in promoting international understanding—the encouragement of the spirit and principles of democracy itself. There is no room for compromise and a middle ground on the basic principles of democratic freedom. The individual must be free to choose his religion and confess it openly; the scientist free to accept unfettered the evidence of test tube and microscope; the journalist to report the facts as he sees them; and the editor to comment as he chooses.

Each one of us must remember that to preserve our own liberties, we must champion the right not only of our neighbors and fellow countrymen to be free, but of all humanity to be free. We are free save in one respect: we are not free to condone those practices and principles which lead to the destruction of freedom itself.

So long as the basic purpose of American education in promoting international understanding is firmly rooted in this, our democratic testament, we need never fear the outcome of a larger and larger volume of educational exchanges.

THE DEPARTMENT

Departmental Regulations

205.2 Development of the Administrative and Budgetary Implications of Proposed Program Legislation: (Effective 9-8-48) This regulation provides for the timely consideration of the administrative and budgetary implications of proposed program legislation by the officers concerned and establishes the procedure for the preparation of legislative proposals.

I CONSIDERATION. Frequently, in drafting program legislation, insufficient attention is given to the eventual management of the program. Programs can be carried out effectively and within acceptable time schedules, only if the enabling legislation and Executive orders are so drawn as to facilitate, rather than hamper, administration. To insure this result close working relationships are required between program proponents, legislative drafting officers, and the organization and budget staff for the development of the legislative plan, as well as its eventual execution.

II PROCEDURE. The procedure for the preparation of new or modified legislation is as follows:

A When program officers have determined the need for new or modified legislative authority they will, at that time and in accordance with DR 205.1, advise C-LC of the proposals to be made.

B Upon request of C-LC the appropriate staff members of the Division of Organization and Budget (OB) will assist the program officers and the Legal Adviser (L) to insure that the draft legislation is such as to facilitate effective and economical administration. OB staff members will not be concerned with the timeliness or substantive aspects of proposed program legislation, but will be responsible to the Assistant Secretary-Administration for its organization, budget, personnel, and related aspects. Through the organization and budget staff, the technical advice of other units concerned with general administration will be secured.

C When legislative proposals involve activities of the Foreign Service, OB will call upon the Office of the Foreign Service (OFS) and its divisions for staff assistance necessary to insure that adequate consideration is given to administrative problems in the field.

D C-LC will keep OB currently informed as to the progress of the legislation through the Congress so that timed and concerted action may be taken, if necessary, to insure that contemplated changes adversely affecting eventual administration are brought to the attention of the cognizant committees by C-LC.

E When the legislation has been enacted, OB will assist the program officers (including OFS when foreign operations are involved) in drafting and clearing any necessary Executive Orders and other required documents on organization, delegations of authority, program and administrative procedures, and the Departmental or Foreign Service regulations and materials necessary to the administration of the program.

F If, in its analysis of operations, OB finds that changes in existing authority of law will facilitate effective and economical operation of programs, it will propose changes and, in collaboration with the appropriate program officers and L, take appropriate action and secure clearances through established channels.

205.1 Development of Program Legislation: (Effective 9-8-48) This regulation defines the responsibility for recommendations regarding the legislative program of

the Department, the consideration of draft legislation by all interested offices, and the securing of comments on legislative proposals referred to the Department.

I CONSIDERATION OF LEGISLATIVE PROPOSALS. Legislative proposals which the Office of the Counselor (C) recommends as to timeliness, relationship to the Department's total legislative program, appropriateness from the standpoint of Congressional relations, and consideration of the interests of affected areas of the Department will be referred to the Secretary or Under Secretary for decisions and, if approved, for transmission to the Bureau of the Budget, the Congress, or the President, as the case may be.

II PROPOSALS FOR NEW OR MODIFIED LEGISLATION. When officers have determined the need for new or modified legislative authority they will, at that time, inform the Legislative Counsel (C-LC). C-LC, upon receipt of such information, will insure that the interests of all affected areas of the Department will be considered. C-LC will advise and assist the officer in discharging his responsibility for the prompt and complete coordination of the proposals within the Department. For the procedure governing the development of administrative and budgetary implications of proposed program legislation, see DR 205.2

III PROPOSALS REFERRED TO THE DEPARTMENT. Legislative proposals originating outside the Department and referred to it for comment will be routed to C-LC. C-LC will obtain the comments from all interested offices before preparing a statement covering the Department's position on the proposal.

Appointment of Officers

John M. Allison as Deputy Director of the Office of Far Eastern Affairs, effective November 1, 1948.

Max W. Bishop as Chief of the Division of Northeast Asian Affairs, effective November 1, 1948.

PUBLICATIONS

Department of State

For sale by the Superintendent of Documents, Government Printing Office, Washington 25, D.C. Address requests direct to the Superintendent of Documents, except in the case of free publications, which may be obtained from the Department of State.

Educational Exchanges Under the Fulbright Act. International Information and Cultural Series 2. Pub. 3197. 6 pp. 10¢.

Gives background, benefits, and administration of Act with "supplementary reports" listing members of the Board of Foreign Scholarships and countries now participating.

Aspects of United States Participation in International Civil Aviation. International Organization and Conference Series IV, International Civil Aviation Organization 2. Pub. 3209. 118 pp.

A collection of 18 recent BULLETIN articles on the subject.

Department of State Bulletin

Economic Cooperation With the French Zone of Occupation of Germany Under Public Law 472—80th Congress. Treaties and Other International Acts Series 1784. Pub. 3270. 58 pp. 15¢.

Agreement Between the United States and the French Zone of Occupation of Germany—Signed at Paris July 9, 1948; entered into force July 9, 1948.

Economic Cooperation With Luxembourg Under Public Law 472—80th Congress. Treaties and Other International Acts Series 1790. Pub. 3270. 55 pp. 15¢.

Agreement Between the United States and Luxembourg—Signed at Luxembourg July 3, 1948; entered into force July 3, 1948.

Economic Cooperation With Turkey Under Public Law 472—80th Congress. Treaties and Other International Acts Series 1794. Pub. 3274. 58 pp. 15¢.

Agreement Between the United States and Turkey—Signed at Ankara July 4, 1948; entered into force July 13, 1948.

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Agreement Between the United States and Denmark—Signed at Copenhagen June 29, 1948; entered into force July 2, 1948.

Economic Cooperation With Greece Under Public Law 472—80th Congress. Treaties and Other International Acts Series 1786. Pub. 3291. 95 pp. 25¢.

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The Department of State

Bulletin

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The Department of State bulletin

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U.S. Amendments to U.K. Resolution on Palestine

STATEMENT BY PHILIP C. JESSUP IN COMMITTEE I¹

U.S. Delegate to the General Assembly

Last Saturday the United States Delegation presented to the Committee a preliminary statement of its views on the progress report of the mediator in Palestine.² Today we wish to offer some additional views with particular reference to the United Kingdom resolution.

The United States Delegation supports the preamble of the United Kingdom's draft resolution as it stands. We fully agree that reference should be made to the General Assembly's resolutions of November 29, 1947, and May 14, 1948, as they represent the previous recommendations of the General Assembly with regard to the Palestine question and are fundamental to our present consideration. We also believe that reference should be made in the preamble to the progress report of the United Nations mediator in Palestine because it sets forth the results of Count Bernadotte's activities in Palestine undertaken pursuant to the General Assembly resolution of May 14, 1948. The progress report of the mediator is presently the point of departure for the work of this Committee.

We are likewise in full accord with the United Kingdom Delegation in believing that specific reference should be made in the preamble to the resolutions of the Security Council concerning the truce in Palestine and to the Council's resolution of November 16 concerning the establishment of an armistice. It will be recalled that the first of Count Bernadotte's seven basic premises dealt with the return to peace and that the first of Count Bernadotte's specific conclusions is framed in the following language:

"(A) Since the Security Council, under pain of Chapter VII sanctions, has forbidden further employment of military action in Palestine as a means of settling the dispute, hostilities should be pronounced formally ended either by mutual agreement of the parties or, failing that by the United Nations. The existing truce should be superseded by a formal peace, or at the minimum, an armistice which would involve either complete withdrawal and demobilization of armed forces or their wide separation by creation of broad demilitarized zones under United Nations supervision."

The United States Delegation is of the opinion that the Security Council's resolution of November 16 is a long step in the direction of the goal which Count Bernadotte has described in the first of his specific conclusions. We hope that the parties will, in the near future, be able mutually to agree to the terms of an armistice and rapidly thereafter to establish a formal peace.

The United States Delegation supports the first numbered paragraph of the draft resolution of the United Kingdom Delegation. We consider that Count Bernadotte made a lasting contribution toward a peaceful adjustment of the future situation of Palestine and that the acting mediator and his staff have faithfully continued the work which Count Bernadotte commenced.

The United States Delegation believes that the second numbered paragraph of the draft resolution of the United Kingdom should be given particularly careful consideration. We fear that if it is adopted with its present wording, the Conciliation Commission—which is provided for in the third numbered paragraph—will not have a sufficiently clear mandate from the General Assembly.

A member of the Conciliation Commission under instructions to carry out the will of the General Assembly under the second numbered paragraph of the United Kingdom's draft resolution, might not know, for example, whether the General Assembly's resolution of November 29, 1947, was even to be taken into consideration. The present draft does not cancel it; nor does the present draft state that Count Bernadotte's specific conclusions represent the definitive view of the General Assembly. It merely "endorses" them. We recall Mr. McNeil's analysis on November 18 of the relationship between the resolution of November 29 and the United Kingdom resolution. He reasoned that, first, the Assembly had reached the conclusion that Palestine ought to be partitioned; second,

¹ Made on Nov. 23, 1948, and released to the press on the same date.

² BULLETIN of Nov. 28, 1948, p. 656.

the Assembly had attempted to strike a just balance between Arab and Jewish claims; third, it had become clear before the mandate ended that the resolution of November 29 would not carry out the Assembly's intentions; fourth, although the mediator was not instructed to promote a peaceful adjustment within the framework of the resolution of November 29, that resolution was not repealed by the later resolution of May 14 and the mediator must consequently have felt that he was obliged to pay particular attention to the considerations which had led to the Assembly's earlier decision. Mr. McNeil concluded with the view that Count Bernadotte translated 'into terms of practical politics the wishes expressed by the Assembly in November 1947.

It would seem essential to me, therefore, that the General Assembly now make clear, in any resolution it passes, the relationship between the November 1947 resolution and any resolution we now adopt.

It would seem logical that such relationship might more appropriately be defined in the third numbered paragraph which establishes a Conciliation Commission and defines its functions and in the fifth numbered paragraph which deals with the question of boundaries. I shall return to this subject later. Meanwhile, we would suggest that the present paragraph 2 of the United Kingdom draft be deleted.

The United States Delegation suggests that the draft resolution of the United Kingdom would be considerably strengthened if there were included in it the principle which has already been established in the Security Council. I refer to the Security Council's resolution of November 16 which called upon the parties directly involved in the conflict in Palestine to seek agreement forthwith, either directly or through the acting mediator on Palestine, with a view to the immediate establishment of an armistice including the delineation of permanent armistice demarcation lines and such withdrawal and reduction of their armed forces as will insure the maintenance of the armistice during the transition to permanent peace.

We are therefore proposing that a new second numbered paragraph be added which would read as follows:

"2. Calls upon the governments and authorities concerned to extend the scope of the negotiations provided for in the Security Council's Resolution of 16 November 1948, and to seek agreement by negotiations conducted either directly or through the Conciliation Commission with a view to a final settlement of all questions outstanding between them."²

² U.N. doc A/C.1/397, Nov. 23, 1948.

It is our opinion that the experience which the peoples directly concerned with Palestine have gained during the past year clearly indicates the need for an early assumption by the parties themselves of responsibility for the achievement of a peaceful solution of the Palestine problem. It is not too much to expect the governments and authorities directly concerned to assume this responsibility. It is not too much to expect that they will be able to broaden the discussions contemplated by the Security Council resolution of November 1947 to include definitive political arrangements. The United States Delegation believes that the United Nations Conciliation Commission contemplated by this draft resolution can be of genuine assistance in reaching this objective.

The expansion of armistice discussions is imperative. For over a year strife has torn the Holy Land. This conflict has drawn into it many countries of the Near East. The political and economic lives of the peoples of this region have been disrupted. The previous progress of the state and peoples of this area has been retarded. It would be difficult to calculate the loss in any terms. The United Nations is perhaps in a better position than any single state or international organization to halt this deterioration and to make it possible for the states and peoples again to turn their attention to constructive pursuits. The United Nations may be able to accomplish this purpose by calling upon the governments and authorities concerned to extend the scope of their presently proposed negotiations.

The United States Delegation supports, in general, the third numbered paragraph of the draft resolution of the United Kingdom but believes, as I have indicated earlier, that it should be amended to give more accurate and clearer instructions to the Conciliation Commission which is established.

It seems essential to us that the Commission's functions should be enumerated. If a Conciliation Commission is being established, a United Nations mediator for Palestine appears to us no longer required in his mediatory capacity. The Conciliation Commission should, therefore, assume the functions given to the United Nations mediator in Palestine by the resolution of the General Assembly of May 14.

The Conciliation Commission should also carry out the instructions contained in the present resolution and such additional instructions as may in the future be given to the Commission by the General Assembly or the Security Council.

Another duty of the new Conciliation Commission would be the most important one of consulting the governments and authorities concerned with a view to achieving a final settlement of all questions outstanding between them. If we call upon the parties to extend the scope of the negotiations—as is suggested through the addition of

U.K. DRAFT RESOLUTION OF NOVEMBER 18, 1948¹

The General Assembly,

HAVING ADOPTED ON 29 November 1947 a resolution (A/516) regarding the future government of Palestine and providing a plan of partition with economic union;

HAVING ADOPTED ON 14 May 1948 resolution 186 (S-2) empowering a United Nations Mediator in Palestine to exercise certain functions including the use of his good offices to promote a peaceful adjustment of the future situation of Palestine;

HAVING RECEIVED AND EXAMINED the Progress Report of the United Nations Mediator on Palestine (A/648) submitted by the late Count Folke Bernadotte;

HAVING TAKEN NOTE of the resolutions of the Security Council concerning the truce in Palestine and of the resolution of 16 November 1948 concerning the establishment of an armistice by means of negotiations conducted either directly or through the Acting Mediator on Palestine;

1. *Expresses* its deep appreciation of the progress achieved through the good offices of the late United Nations Mediator in promoting a peaceful adjustment of the future situation of Palestine for which cause he sacrificed his life; and *extends* its thanks to the Acting Mediator and his staff for their continued efforts and devotion to duty in Palestine;

2. *Notes* with satisfaction Part I of the Progress Report of the United Nations Mediator and *endorses* the specific conclusions contained in Part I of that report as providing a practical means of giving effect to the principles contained in the resolution of 29 November 1947 and as a basis for a peaceful settlement of the Palestine question;

3. *Establishes* a Conciliation Commission consisting of (three States Members of the United Nations) which shall have the following functions:

(a) To assume the functions given to the United Nations Mediator on Palestine by the resolution of the General Assembly of 14 May 1948;

(b) To carry out the specific functions and directives given to it by this resolution and such additional functions and directives as may be given to it by the General Assembly or by the Security Council;

(c) To enter into consultations with the Governments and authorities concerned with a view to achievement of a final settlement of all questions outstanding between them, including in particular the questions dealt with in the General Assembly resolution of 29 November 1947 and in Part I, section VIII, paragraph 4 of the Progress Report of the United Nations Mediator on Palestine;

(d) To undertake, upon the request of the Security Council, any of the functions now assigned to the United Nations Mediator on Palestine or to the United Nations Truce Commission by resolutions of the Security Council; upon such request to the Conciliation Commission by the Security Council with respect to all the remaining functions of the United Nations Mediator on Palestine under Security Council resolutions, the office of the Mediator shall be terminated;

4. *Instructions* the Conciliation Commission in pursuance of paragraph 3 (c) above to enter into consultations with the Governments and authorities concerned with a view to delimiting the frontiers in Palestine as part of a final settlement, taking into account the following general considerations, without excluding any territorial settlement mutually acceptable to the parties;

(a) That there are important elements common to both the resolution of the General Assembly of 29 November 1947 and the Progress Report of the United Nations Mediator on Palestine;

(b) That the delimitation of frontiers in areas not covered by (a) above should be carried out in the light of the general equilibrium envisaged in the resolution of 29 November, the Mediator's comments thereon in paragraph 3 (d) of Part I, Section VIII of his report, and his specific conclusions in paragraph 4 (b) of the same section, with a view to contributing to the peaceful adjustment of difference between the parties;

5. *Endorses* the recommendation contained in paragraph 4 (c) of the Mediator's conclusions concerning the disposition of the territory of Palestine not included within the boundaries of the Jewish State or the City of Jerusalem, and *instructs* the Conciliation Commission, in full consultation with the inhabitants of Arab Palestine, to assist the Governments of the Arab States concerned to arrange for the disposition of this territory in accordance with the aforesaid recommendation;

6. *Resolves* that the Holy Places, religious buildings and sites in Palestine would be protected and free access to them assured, in accordance with existing rights and historical practice; that arrangements to this end should be under effective United Nations supervision; that the United Nations Conciliation Commission in presenting to the fourth regular session of the General Assembly its detailed proposals for a permanent international regime for the territory of Jerusalem should include recommendations concerning the Holy Places in that territory; that with regard to the Holy Places in the rest of Palestine the Commission should call upon the political authorities of the areas concerned to give appropriate formal guarantees as to the protection of the Holy Places and access to them; and that these undertakings should be presented to the General Assembly for approval.

7. *Resolves* that in view of its association with three world religions, the Jerusalem area, as defined in the General Assembly resolution of 29 November 1947, should be accorded special and separate treatment from the rest of Palestine and should be placed under effective United Nations control with the maximum feasible local autonomy for the Arab and Jewish communities; *invites* the Security Council to take further steps to secure the demilitarization of Jerusalem with the least possible delay; and *instructs* the Conciliation Commission

(a) To take all feasible steps to facilitate the effective administration of the area, co-ordinating to the fullest extent possible the organs of self-government and administration of the Arab and Jewish communities of the Jerusalem area,

(b) to report to the Security Council for appropriate action any attempt to interfere with its functions with respect to Jerusalem, and

(c) to present to the fourth regular session of the General Assembly detailed proposals for a permanent international regime for the Jerusalem area.

To assist it in carrying out these functions, the Conciliation Commission is authorized to appoint a United Nations Commissioner for Jerusalem who shall be responsible to the Commission;

8. *Resolves* that, pending agreement on more detailed arrangements among the Governments and authorities concerning, unimpeded access to Jerusalem by road, rail, or air should be accorded to all inhabitants of Pales-

(Continued on page 715)

¹ U.N. doc. A/C.1/394/Rev. 1, Nov. 18, 1948.

our new paragraph—it will be essential to authorize the Conciliation Commission to enter into consultations with the parties with a view to the establishment of a final settlement of all questions. It is our belief the scope of the negotiations should include any matters dealt with in the November 29 resolution and in part I, section VIII, paragraph 4, of the mediator's report. It seems clear that there are many questions other than territorial which might be the subject of negotiations, such as Haifa, Lydda, and guaranties of minority rights.

A further duty of the new Conciliation Commission would be to undertake upon the request of the Security Council any of the tasks now assigned to the United Nations mediator or to the United Nations Truce Commission by resolutions of the Security Council presently in effect. During the present transition period in Palestine there may be some overlapping between the existence of a Conciliation Commission and the continuing activities of the United Nations mediator. With the appointment of the Conciliation Commission by the General Assembly, the position of the United Nations mediator will no longer be required to carry out the instructions of the General Assembly. The United Nations mediator should, however, continue the functions which the Security Council has already entrusted to him for such time as the Council considers necessary. It may be envisaged at some near future date, however, that the Security Council may request the United Nations mediator to transfer the functions which he is exercising for it to the new Conciliation Commission. It is believed that such transfer might take place, for example, after the provisions of the Security Council resolution of November 16 have become effective.

The United States Delegation is, therefore, proposing that the third numbered paragraph of the draft resolution of the United Kingdom should be amended as follows:

"3. Establishes a Conciliation Commission consisting of (three States Members of the United Nations) which shall have the following functions:

"(a) To assume the functions given to the United Nations Mediator in Palestine by the Resolution of the General Assembly of 14 May 1948;

"(b) To carry out the specific functions and directives given to it by this Resolution and such additional functions and directives as may be given to it by the General Assembly or by the Security Council;

"(c) To enter into consultations with the governments and authorities concerned with a view to achievement of a final settlement of all questions outstanding between them, including in particular the questions dealt with in the General Assembly Resolution of 29 November 1947 and in Part I, Section VIII, Paragraph 4 of the Progress Re-

port of the United Nations Mediator in Palestine

"(d) To undertake, upon the request of the Security Council, any of the functions now assigned to the United Nations Mediator in Palestine or to the United Nations Truce Commission by resolutions of the Security Council; upon such request the Conciliation Commission by the Security Council with respect to all the remaining functions of the United Nations Mediator in Palestine under Security Council resolutions, the office of the Mediator shall be terminated";

We do not believe that our amendment is in basic conflict with the third numbered paragraph of the draft resolution. Our amendment is merely more specific and contains the general and specific framework of instructions for the guidance of the Conciliation Commission.

The Committee will note that the content of the fourth numbered paragraph of the United Kingdom draft resolution has been included in paragraph 3 (D) of our amendment. It would appear, therefore, that the United Kingdom paragraph might be deleted.

With regard to the fifth numbered paragraph of the United Kingdom draft resolution, the United States Delegation suggests that in line with our proposed amendment calling upon the parties to negotiate, the Conciliation Commission should be instructed to enter into consultation with the governments and authorities concerned with a view to delimiting the frontiers in Palestine, taking into account the following general considerations without excluding any territorial arrangements mutually acceptable to the parties:

A. That there are important elements common to both the resolution of November 29 and the mediator's report.

B. That certain modifications in the territorial arrangements of the resolution of November 29 should be considered through negotiations taking into account part I, section VIII, paragraph 4 (B) of the progress report of the United Nations mediator in so far as it may contribute to a peaceful adjustment of differences between the parties.

As I stated on November 20: "We must decide point by point whether we are to seek a basis of agreement among the parties or whether we shall try to fix boundaries at this session of the Assembly." We are of the opinion that this function should be left to the Conciliation Commission which, under this resolution as amended, could assist the parties in reaching an agreement with regard to a territorial settlement.

The United States Delegation also reaffirmed on November 20 that "the United States approve the claims of the state of Israel to the boundaries set forth in the United Nations resolution of November 29, and considers that modifications thereof should be made only if fully acceptable to the state

of Israel. This means that reductions in such territory should be agreed by Israel. If Israel desires additions, it would be necessary for Israel to offer an appropriate exchange through negotiations."

It may be noted in this connection that the November 29 resolution contemplated that almost all of the Negeb would go to the state of Israel and it contemplated that Jaffa and western Galilee would go to an Arab state. If, as now seems probable, there are to be agreed readjustments of the November 29 boundaries, there should, on the part of all concerned, be a fair measure of reciprocity and mutual interest.

There are certain features of the frontiers which are common both to the November 29 resolution of the Assembly and to the mediator's report. There are other features in which the Assembly resolution and the mediator's report differ. From statements made before this committee it is evident that serious differences exist among the interested parties on this subject. We believe that these points of difference ought to be settled by processes of negotiation and conciliation and that the Conciliation Commission can play a valuable role in assisting the parties in a final delimitation of frontiers. In this connection, my Delegation considers that, to the extent that the boundaries of the November 29 resolution need modification, the report of the mediator provides a useful basis for renewed efforts on the part of the United Nations to bring about the necessary adjustments.

The United States Delegation proposes that the fifth numbered paragraph of the United Kingdom draft resolution be amended to read as follows:

"4. Instructs the Conciliation Commission in pursuance of paragraph 3 (c) above to enter into consultations with the governments and authorities concerned with a view to delimiting the frontiers of Palestine, taking into account the following general considerations, without excluding any territorial settlement mutually acceptable to the parties;

"(a) that there are important elements common to both the Resolution of the General Assembly of 29 November 1947 and the Progress Report of the United Nations Mediator in Palestine;

"(b) that certain modifications in the territorial arrangements of the General Assembly Resolution of 29 November 1947 should be considered taking into account Part I, Section VIII, Paragraph 4 (b) of the Progress Report of the United Nations Mediator in so far as it may contribute to a peaceful adjustment of differences between the parties;"

Through our amendments to the third and fifth numbered paragraphs of the United Kingdom draft resolution we believe that the resolution as a whole has been strengthened, and that the second

numbered paragraph as proposed by the United Kingdom Delegation is not essential.

The United States Delegation supports the sixth numbered paragraph of the United Kingdom draft resolution as providing a means whereby the disposition of the territory of Palestine not included within the boundaries of the Jewish state or the City of Jerusalem may be accomplished.

The seventh numbered paragraph of the United Kingdom resolution deals with the Holy Places, a subject in which the interest of my Government has frequently been evidenced in the debates in the General Assembly. We believe that the phraseology suggested in this seventh numbered paragraph is satisfactory for the accomplishment of the objectives which we desire to obtain.

The United States Delegation supports the eighth numbered paragraph of the United Kingdom draft resolution. Under this provision the Conciliation Commission is instructed to take all feasible steps to facilitate the effective administration of the Jerusalem area, and in so doing to coordinate to the fullest extent possible the organs of self-government and administration of the Arab and Jewish communities. The Commission is authorized to appoint a United Nations Commissioner for Jerusalem to assist it in carrying out this task. This portion of the resolution provides further that the Conciliation Commission shall present to the fourth regular session of the General Assembly detailed proposals for a permanent international regime for the Jerusalem area. We do not believe that a more ambitious program should be attempted at this time. During the course of the coming year full consideration can be given to the difficult problems of the maintenance of law and order in Jerusalem and the cost of administration. It is also our hope that during the coming year political stability in the Palestine area will be achieved to the degree that the responsible authorities of the Arab and Jewish communities can contribute far more than they could today to the operation of a special regime for Jerusalem. It is our belief that the Jerusalem area should be integrated, in so far as is consistent with its special international character, with the people and institutions of the remainder of Palestine. My Delegation considers that the General Assembly at its fourth session will be able to make lasting decisions with regard to an international regime for Jerusalem as a result of the proposals which the Conciliation Commission will present at that time.

The ninth numbered paragraph of the United Kingdom draft resolution contains an important concept with regard to access to Jerusalem and has our full support.

The tenth numbered paragraph of the same draft resolution is a restatement of the principle of territorial integrity contained in the Charter,

and has our full support in the belief that it will provide reassurance to the governments and authorities concerned with regard to frontiers in Palestine established through negotiations.

The eleventh numbered paragraph of the United Kingdom resolution with regard to Arab refugees has our full support in that it endorses a principle which all of us recognize and provides a means whereby this principle may be implemented.

It is our view, however, that reference need not be made in the resolution itself to the highly technical question of compensation for losses incident to the recent fighting in Palestine. This problem can be far better dealt with in detail by the parties concerned, perhaps with the assistance of a claims commission, having regard to the suggestions made in the mediator's progress report. The Conciliation Commission under this resolution will be available to the parties for consultation in working out this problem. We are, therefore, submitting an amended paragraph which will be substituted for paragraph 10, which we do not believe is necessary. The amended paragraph reads:

"10. *Resolves* that the Arab refugees wishing to return to their homes and live at peace with their neighbors should be permitted to do so on the earliest possible date and that adequate compensation should be paid for the property of those choosing not to return; and instructs the Conciliation Commission to facilitate the repatriation, resettlement, and economic and social rehabilitation of the Arab refugees and the payment of compensation;"

The administrative and procedural arrangements set forth in paragraphs 12, 13, 14, and 15 of the United Kingdom draft appear to us to be sound, and we therefore support these paragraphs also.

The various amendments suggested by my Delegation have been submitted to the Secretary, and have been distributed to the members of the Committee for their consideration. We hope that they will be helpful in assisting the committee to reach a final and valuable conclusion to its consideration of this important item.

DISCUSSION OF PALESTINE QUESTION IN THE SECURITY COUNCIL: RESOLUTION

ESTABLISHING AN ARMISTICE³

The Security Council

REAFFIRMING its previous resolutions concerning the establishment and implementation of the Truce in Palestine and, recalling particularly its Resolution of 15 July 1948 which determined that the situation in Palestine constitutes a threat to the peace within the meaning of Article 39 of the Charter;

TAKING NOTE that the General Assembly is continuing its consideration of the future government of Palestine in response to the request of the Security Council of 1 April 1948 (document S/714);

WITHOUT PREJUDICE to the actions of the Acting Mediator regarding the implementation of the Resolution of the Security Council of 4 November 1948;

³ U.N. doc. S/1080, Nov. 17, 1948; adopted by the Security Council on Nov. 18, 1948.

Decides that, in order to eliminate the threat to the peace in Palestine and to facilitate the transition from the present Truce to permanent peace in Palestine, an armistice shall be established in all sectors of Palestine;

Calls upon the parties directly involved in the conflict in Palestine, as a further provisional measure under Article 40 of the Charter, to seek agreement forthwith, by negotiations conducted either directly or through the Acting Mediator of Palestine, with a view to the immediate establishment of the Armistice including:

(a) the delineation of permanent armistice demarcation lines beyond which the armed forces of the respective parties shall not move;

(b) such withdrawal and reduction of their armed forces as will ensure the maintenance of the armistice during the transition to permanent peace in Palestine.

Discussion of the Membership Problem

STATEMENT BY BENJAMIN V. COHEN IN AD HOC POLITICAL COMMITTEE¹

U.S. Delegate to the General Assembly

The problem now before us is a familiar one to the members of this Committee. For the third year we are confronted with a situation where a number of applicant states which the General Assembly regards as fully qualified for membership are denied admission because of a veto exercised by one of the permanent members of the Security Council. In our view the United Nations was intended to represent a world community of peace-loving, law-abiding states. It was not intended to be a mere alliance among the original members to which they would admit other members only as it suited their desires or special interests.

It is not necessary to review in detail the discussions on this subject in the Security Council and in this Committee of the General Assembly. In the Security Council every effort to secure a recommendation for the admission of qualified member states has been frustrated by the repeated use by the Soviet Union of its power to veto. In most instances no explanation for these vetoes has been offered which can reasonably be deemed valid under the provisions of article 4 of the Charter or within the purposes and principles of the Charter. Soviet Representatives have gone far outside the Charter to find reasons for their action. They have maintained that states lacking diplomatic relations with the U.S.S.R., or states whose behavior during the war might not have been fully satisfactory to the U.S.S.R., were not, on these grounds, qualified for membership. And when the Security Council considered and reconsidered the application of Italy in 1947, a favorable recommendation on the admission of that state was blocked by the Soviet Union for a reason which had nothing whatever to do with the qualifications of Italy for membership: namely, because of Soviet insistence on making the admission of Italy dependent on the acceptance of other states not qualified in the opinion of the Security Council for membership. Thus, the Italian Government and people, through no fault of their own, have been denied the representation in this Organization to which they are fully entitled.

In an attempt to remedy this situation, the General Assembly at its last regular session adopted

a series of eight resolutions on the membership problem. Five of these resolutions recorded the view of the General Assembly that five of the applicants—Ireland, Portugal, Transjordan, Italy, and Finland—are qualified for, and should be admitted to, membership in the United Nations, and that opposition to their admission has been based on grounds not included in article 4 of the Charter. A sixth resolution expressed the Assembly's opinion that Austria is a peace-loving state within the meaning of article 4 and, in the case of Austria as in the other five cases, the General Assembly requested the Security Council to reconsider the applications of the states concerned in the light of the Assembly's views.

The seventh and eighth resolutions adopted by the General Assembly envisaged other action which might be taken to break the deadlock on the admission of applicant states to the Organization. One recommended that the permanent members of the Security Council engage in consultations with a view to reaching agreement on the admission of new members. A fruitless consultation did take place in April 1948. The other resolution requested the International Court of Justice to render an advisory opinion on certain questions of law which arose as a result of the Soviet effort to refuse the admission of qualified applicants unless certain other candidates were accepted.

Since these resolutions were passed, and in part pursuant to their terms, a number of additional developments have taken place.

First, shortly before the second special session

¹ Made on Nov. 22, 1948, and released to the press by the U.S. Delegation to the third regular session of the General Assembly on the same date. The *ad hoc* Political Committee, upon which all members are represented, was established by the General Assembly on Nov. 15 to consider and report on certain items from among those referred to Committee 1 by the General Assembly. Items to be referred to the *ad hoc* Committee are: report of the Security Council; admission of new members; the problem of voting in the Security Council; advisability of establishing a permanent committee of the General Assembly; study of methods for the promotion of international cooperation in the political field; and United Nations guard (an item proposed by the Secretary-General).

of the General Assembly last April, the applications of Italy and the other applicant states were reconsidered in the Security Council at the initial instance of the Representatives of France, the United Kingdom, and the United States. Again there was a Soviet veto.

Second, the Security Council last summer considered for the first time an application from Ceylon. Nine members of the Security Council agreed that Ceylon was an independent state which fulfilled the conditions for membership in the United Nations. But again, the admission of a qualified applicant was prevented by a Soviet veto.

Third, the International Court of Justice, in response to the Assembly's request for an advisory opinion, held on May 28, 1948, that a member of the United Nations is not juridically entitled to make its consent to the admission of an applicant state dependent on conditions not expressly provided for by paragraph 1 of article 4 of the Charter:

" . . . and that, in particular, a Member of the Organization cannot, while it recognizes the conditions set forth in that provision to be fulfilled by the state concerned, subject its affirmative vote to the additional condition that other States be admitted to membership in the United Nations together with that State."

The situation today appears, therefore, to have reached an impasse. On the one hand, we see the U.S.S.R. firm and unyielding in its determination to prevent the admission of duly qualified states to the United Nations, on grounds which are to us unconvincing. On the other hand, we see the majority of the membership of the Security Council and of the General Assembly standing powerless before the Soviet veto. This great majority of the Members of the United Nations is confirmed in its position by the advisory opinion handed down by the proper international tribunal. In the circumstances, it is hardly surprising that members of this Assembly should express their deep concern at this willful and continued frustration of the majority's desire to take action necessary to give a moral basis to the right of the United Nations to speak for the world community of nations.

The United States fully appreciates the strength of this sentiment in the General Assembly. It is sympathetic to the desire for remedial action. On September 17, 1947, the Secretary of State of the United States declared that, for its part, the United States was willing to accept, by whatever means might be appropriate, the elimination of the unanimity requirement with regard to the admission of new members. The United States has maintained this position in the studies undertaken by the Interim Committee on the question of voting in the Security Council.

Furthermore, my Delegation stated at the last

regular session of the Assembly that it would not exercise its right of veto in the Security Council to exclude from the United Nations any of the applicants then under consideration which the Assembly determined to be qualified for membership.

I call attention to these points because they still represent the policy of the United States.

The basic question before us here is what the United Nations can do to contend with the existing situation. In our view, there are several steps which the Assembly might usefully take at this juncture.

1. It might take note of the advisory opinion of the International Court of Justice and call it to the attention of the Security Council and of member states as an authoritative determination of the rights and duties of members in voting under article 4 of the Charter. The General Assembly might also express the view that the Court's conclusions should be applied in the consideration of membership applications.

2. The General Assembly might reaffirm the General Assembly resolutions of 1947 requesting reconsideration by the Security Council of the applications of Transjordan, Ireland, Portugal, Italy, Finland, and Austria, and might request renewed consideration of these applications in the light of the advisory opinion of the International Court of Justice.

We note that the Delegation of Australia has introduced resolutions in this sense with regard to all of these countries except Austria. We will support these resolutions. The United States will itself introduce a resolution requesting reconsideration of the application of Austria as it did last year. We consider Austria to be fully qualified for membership. We ask that Austria's application should be reconsidered and approved.

Certain other proposals for action by the General Assembly will undoubtedly be made in the course of this debate. The Representative of Argentina has, as you know, placed on the agenda a proposal that the General Assembly admit to membership Italy and every other applicant state which has received seven or more affirmative votes in the Security Council.

It seems clear that the underlying purpose of the Argentine Government in making this proposal is to express dissatisfaction with Soviet obstruction of the admission of qualified applicants. The United States, of course, shares that dissatisfaction. The United States has attempted to reach agreement with all the permanent members of the Security Council on procedures which would bring to an end the stalemate on this question. We are continuing our efforts to reach that objective.

But while we seek a purpose identical with that

of the Argentine Representative, we are regretfully forced to part company with him as regards the method of procedure which he appears to advocate. Last year there was a thorough discussion in this Committee of Dr. Arce's views on the constitutional history of the process of the admission of new members to the United Nations. At that time, we gave careful consideration to the position which he presented.

We felt then, and we continue to feel, that the evidence conclusively supports the view that the General Assembly cannot admit a state without a prior recommendation of the Security Council. Both the legislative history of the drafting of article 4 of the Charter, and the practical construction given to this article by the General Assembly and the Security Council in the adoption of their rules of procedure and in their action on membership applications, support this thesis.

Our Delegation cannot disregard this weight of evidence and experience. It cannot agree to any action of the General Assembly which it does not consider valid and proper under the Charter.

In this connection it is appropriate to take note of the proposal contained in the report of the Interim Committee that in considering membership applications in the Security Council, the permanent members agree that a recommendation on the admission of an applicant state shall be made by the vote of any seven members of the Council. In the opinion of my Delegation, this suggestion represents perhaps the most promising method now available for dealing with the problem with which we are confronted. It provides a fair means of accommodation. It involves no dictation on the part of any state or group. It requires only a decent respect for the aggregate opinion of the world community.

Other suggestions may be made in this Committee looking toward the admission of all the present applicant states with a view to insuring that all states may become members of the Organization. We would agree generally that universality of membership is a highly desirable and proper objective. We know from experience that the United Nations cannot function with greatest effectiveness unless all properly qualified states are cooperating in its work.

Our own willingness to accept the judgment of any seven members of the Security Council as to the qualifications of applicant states for membership is evidence of our desire for a broadly universal representation of states in the Organization. It is indicative of our hope that, through discussion in the Security Council and in the General Assembly, the members of the Organization may reach a better understanding of the common requirements for membership. This is the road along which the United Nations can travel toward

the broadest possible association of sovereign states. It is the road along which the United Nations must travel if it is to act effectively in the name and on behalf of the world community of nations.

This does not mean that we need or should ignore the rudimentary requirements of article 4 as essential conditions of membership. To be admitted into the organized community of nations, states should, by their conduct prior to admission, give proof of their readiness and willingness to eschew force as an instrument of national policy, to have regard and respect for the laws of nations, and to assist in their development and enforcement. Any state which possesses the essential attributes of statehood can readily conform its policies to the requirements of article 4. But such requirements, rudimentary as they are, are not satisfied by paper assurances that, as of the date of its admission, an applicant state will accept the obligations contained in the Charter. The Organization is entitled to greater proof than this that applicants will fulfil the obligations of membership.

Let those states regarding whose admission the majority of the Security Council and the General Assembly have doubts give tangible proof of their desire for membership.

Let the Mongolian People's Republic open its doors to the outside world sufficiently to permit a real establishment of the facts regarding its independence.

Let Albania and Bulgaria cease their assistance to the guerrilla forces in Greece in accordance with the terms of the General Assembly resolutions in the Greek question. Let Bulgaria, Rumania, and Hungary observe the provisions of their treaties of peace by abolishing the repressive, tyrannical practices of their Governments. These treaty provisions insuring respect for human rights and fundamental freedoms are not old and obsolete provisions from old and obsolete treaties. They are the provisions incorporated in the peace treaties to carry out the solemn promises made to the peoples of these countries by the Allied powers before the end of the war. The callous disregard and flagrant violations of these treaties by governments seeking admission into the United Nations cannot be ignored.

If action is taken to remedy these difficulties, the serious doubts regarding these states entertained by our Delegation—and, I believe, by most of the other Delegations here present—might be minimized, and their admission to membership accepted. Let me assure the Assembly that the United States would not stand in the way of the admission of any applicant if it were satisfied that it was qualified for membership. We will do our part to make the United Nations truly representative of the world community of peace-abiding, law-abiding nations.

Resolution on Reduction by One Third of Armaments and Armed Forces¹

The General Assembly,

DESIRING to establish relations of confident collaboration between the States within the framework of the Charter and to make possible a general reduction of armaments in order that humanity may in future be spared the horrors of war and that the peoples may not be overwhelmed by the continually increasing burden of military expenditure;

CONSIDERING that no agreement is attainable on any proposal for the reduction of conventional armaments and armed forces so long as each State lacks exact and authenticated information concerning the conventional armaments and armed forces of other States, so long as no convention has been concluded regarding the types of military forces to which such reduction would apply, and so long as no organ of control has been established;

CONSIDERING that the aim of the reduction of conventional armaments and armed forces can only be attained in an atmosphere of real and lasting improvement in international relations, which implies in particular the application of control of atomic energy involving the prohibition of atomic weapons;

BUT NOTING on the other hand that this renewal of confidence would be greatly encouraged if

States were placed in possession of precise and verified data as to the level of their respective conventional armaments and armed forces;

Recommends the Security Council to pursue the study of the regulation and reduction of conventional armaments and armed forces through the agency of the Commission for Conventional Armaments in order to obtain concrete results soon as possible;

Trusts that the Commission for Conventional Armaments, in carrying out its plan of work, will devote its first attention to formulating proposals for the receipt, checking and publication, by an international organ of control within the framework of the Security Council, of full information to be supplied by Member States with regard to their effectives and their conventional armaments;

Invites the Security Council to report to it not later than its next regular session on the effect given to the present recommendation with a view to enabling it to continue its activity with regard to the regulation of armaments in accordance with the purposes and principles defined by the Charter;

Invites all nations in the Commission for Conventional Armaments to co-operate to the utmost of their power in the attainment of the above mentioned objectives.

Resolutions of the United Nations Special Committee on the Balkans¹

Appointing Conciliators To Meet With Albania, Yugoslavia, Bulgaria, and Greece²

The First Committee

HAVING IN MIND paragraph 5 (1) of Resolution 109 (II) by which the General Assembly called upon Albania, Bulgaria and Yugoslavia on the one hand and Greece on the other to co-operate in the settlement of their dispute by peaceful means, and to that end recommended that they establish normal diplomatic and good neighbourly relations among themselves as soon as possible;

HAVING IN MIND that representatives of the Gov-

ernments of Albania, Bulgaria, Greece and Yugoslavia are present in Paris during this session of the General Assembly;

NOTING that the United Nations Special Committee on the Balkans unanimously recommended that the General Assembly consider ways and means of obtaining the co-operation of Albania, Bulgaria and Yugoslavia with the Special Committee;

Asks the President of the General Assembly, the Secretary-General, the Chairman and the Rapporteur of the First Committee to act in the capacity of conciliators jointly to convene immediately in Paris a meeting of representatives of the Governments of Albania, Bulgaria, Greece and Yugoslavia to explore the possibilities of reaching agreement amongst themselves as to the methods and procedure to be adopted with a view to resolving present differences between them.

¹ U.N. doc. A/C.1/393, Nov. 15, 1948, draft resolution adopted by Committee I on Nov. 13, 1948.

² U.N. doc. A/C.1/385, Nov. 11, 1948; adopted by Committee I on Nov. 10 and by the General Assembly on Nov. 27, 1948.

Continuing UNSCOB

The draft resolution by China, France, the United Kingdom, and the United States presented to Committee I and printed in the BULLETIN of November 21, 1948, p. 635, was adopted by the General Assembly on November 27, 1948, except for the changes in the following paragraphs indicated in italic:

8. Calls upon Albania, Bulgaria and Yugoslavia to co-operate with the Special Committee in enabling it to carry out its functions, *in particular the function of being available to assist the Governments concerned in accordance with article 10 (c) of this resolution,*

10. (c) To continue to be available to assist the Governments of Albania, Bulgaria, Greece and

Yugoslavia in the implementation of Resolution 109 (II) and of the present Resolution; *and for this purpose, in its discretion to appoint, and utilize the services and good offices of one or more persons whether or not members of the Special Committee.*

11. Decides that the Special Committee shall have its principal headquarters in Greece, and with the co-operation of the Government or Governments concerned, shall perform its functions in such places as it may deem appropriate for the fulfilment of its mission.

12. Text of paragraph 11 of the draft becomes No. 12.

13. Text of paragraph 12 of the draft becomes No. 13.

The United States in the United Nations**Berlin Currency**

The United States, Great Britain, France, and the Soviet Union have accepted a proposal that neutral experts study Berlin's currency and trade problems with a view to recommending possible settlement of the controversy which has caused the Western powers to complain that the Soviet-imposed land blockade threatens world peace.

Juan A. Bramuglia of Argentina who, as president of the Security Council during November, initiated efforts of the council's six member nations which are not parties to the Berlin dispute to find a solution, reported that the U.S.S.R. had accepted his proposal for a 30-day survey.

Earlier, the United States, Great Britain, and France made public their official acceptance in a statement welcoming the plan for a neutral study and pledging continued cooperation in attempts to solve the Berlin problem, while reserving their position on the study's outcome.

In a joint reply to President Bramuglia, the Western powers reaffirmed their right to take such measures as may be necessary to maintain their position in Berlin pending outcome of the proposed currency and trade study.

Pointing to the Soviet Union's tactics which have split Berlin into two cities, the three Western powers stressed that they would have to consider any resolution which might be submitted to the Security Council as a result of the general circumstances prevailing at that time.

"The three western powers cannot agree that they should be bound to submit to all Soviet measures which add to and intensify the Soviet blockade or which interfere with the city administra-

tion, while the Soviet remains wholly uncommitted to any restraint", the joint reply notified Mr. Bramuglia, adding, "The three governments therefore repeat the reservation of their right, declared to the Security Council when the Berlin question was submitted to that body, 'to take such measures as may be necessary to maintain in these circumstances their position in Berlin' pending the outcome of the further efforts of the President of the Security Council".

"Little Assembly"

The General Assembly in plenary session on December 3 voted to extend the life of its Interim Committee for a second experimental year. The vote was 40 to 6, the Soviet bloc comprising the opposition.

Boycotted by the Soviet-bloc nations since its inception, the Interim Committee, the so-called Little Assembly, was set up to provide continuity of work between the regular sessions of the Assembly. This action enables the Committee to continue operations at Lake Success through 1949, studying problems relating to the maintenance of peace and security, conducting investigations, and helping the General Assembly in its work. The Interim Committee was given the added power of seeking advisory opinions of the International Court of Justice, but was again expressly forbidden to consider matters before the Security Council.

Arguments by the Soviet-bloc delegates against extension of the Little Assembly, on the grounds that it was an attempt to circumvent the Security Council and its unanimity rule failed to influence

the General Assembly. These nations have indicated that they will again refuse to participate in the Interim Committee.

Israeli Membership

The Security Council on December 2 referred to its membership committee Israel's application for admission to the United Nations. The United Kingdom served notice immediately that it would purpose in committee a deferment of action on the application, and Syria expressed a similar view. France and Canada also suggested that the membership committee should await the final recommendations of the Political and Security Committee regarding a permanent settlement of the Palestine problem before passing on the admission request.

Meanwhile, on December 4, Committee I passed a resolution establishing terms of reference for a Conciliation Commission.

Indonesia

The Security Council's Good Offices Committee in the Indonesian dispute reported on December 2 that direct talks now commencing between Netherlands and Indonesian Republic Representatives are a "serious and possibly final attempt" to resolve the political issues between the two parties.

The Committee informed the Security Council that there is a possibility of a general breakdown in the current truce in Indonesia as a result of the delay in achievement of a political settlement. The truce was agreed to by both parties last January in the Renville agreements which called for the parties to conduct further negotiations for an agreement covering Indonesia's political future. The Committee was instrumental in achieving the truce and has worked since then to encourage a political settlement.

The Committee pointed out that the delay in working out a settlement has stalled economic rehabilitation in Indonesia as a whole, particularly in Republican areas, increasing their political diffi-

culties. No political negotiations under Good Offices Committee auspices have taken place since the end of last May.

The report noted that the Netherlands Representatives have been reluctant to consider proposals put forward by U.S. and Australian members of the Good Offices Committee, who, along with a Representative of Belgium, comprise the three-nation conciliation group.

Freedom of Information

The United States and eight other countries (the Philippine Republic, China, the Netherlands, Bolivia, Sweden, Denmark, France, and Argentina) have submitted a resolution to the General Assembly calling for the convening of a second Conference on Freedom of Information at Lake Success.

The proposed Conference would have as its purpose the review of the three draft conventions and their submission to governments concerned for accession and ratification. All nations represented at the first meeting would be invited to send delegates to the Lake Success meeting.

The conventions were drawn up at Geneva in April 1948. They include one on gathering an international transmission of news, another on international right of official correction, and a third and more general one, on freedom of information.

Italian Colonies

With adjournment of the current Assembly session tentatively set for December 11, final action this year by the United Nations on disposition of the former Italian colonies is deemed unlikely.

The colonies issue was automatically referred to the Assembly this year, according to the terms of the Italian peace treaty, when agreement was not obtained by the Council of Foreign Ministers.

Referred, in turn, to the Political and Security Committee, discussion of the colonies question may begin following completion by the Committee of work on the Palestine issue.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

Calendar of Meetings¹

Adjourned during November 1948

	Site	Date
ILO (International Labor Organization):		
Industrial Committee on Textiles: Second Session	Geneva	Oct. 26-Nov. 5
Industrial Committee on Petroleum: Second Session	Geneva	Nov. 9-19
Preparatory Conference of Labor Inspection in the Asian Countries .	Kandy, Ceylon	Nov. 15-20
WHO (World Health Organization):		
Second Session of Executive Board	Geneva	Oct. 25-Nov. 15
Expert Committee on International Epidemic Control	Geneva	Nov. 17-21
Fourth Pan American Consultation on Cartography	Buenos Aires	Oct. 12-Nov. 14
Second Meeting of South Pacific Commission	Sydney	Oct. 25-Nov. 2
GATT (General Agreement on Tariffs and Trade): Meeting of Com-		
mittee on Special Exchange Arrangements.	London	Nov. 1-8
FAO (Food and Agriculture Organization):		
Fourth Session of Council	Washington	Nov. 8-13
Fourth Session of Annual Conference	Washington	Nov. 15-
IMO (International Meteorological Organization): Meeting of		
Regional Commission for Asia.	New Delhi	Nov. 10-17
Empire Parliamentary Association	Hamilton, Bermuda	Nov. 15-24
Second Inter-American Congress on Brucellosis	Mendoza, Argentina	Nov. 17-26

In Session as of December 1, 1948

United Nations:		1948
General Assembly: Third Session	Paris ²	Sept. 21-
Ecosoc (Economic and Social Council): Economic Commission	Glenbrook, Australia	Nov. 29-
for Asia and the Far East.		1946
German External Property Negotiations With Portugal (Safehaven) .	Lisbon	Sept. 3-
ITU (International Telecommunication Union):		1948
Provisional Frequency Board	Geneva	Jan. 15-
International Conference on High Frequency Broadcasting	Mexico City	Oct. 22-
Bolivian International Fair	La Paz	Oct. 20-
ILO (International Labor Organization):		
Joint Maritime Commission	Geneva	Nov. 25-
Governing Body: 107th Session	Geneva	Nov. 29-
UNESCO (United Nations Educational, Scientific and Cultural Or-		
ganization): General Conference: Third Session.	Beirut	Nov. 17-
ICAO (International Civil Aviation Organization): Southeast Asia		
Regional Air Navigation Meeting.	New Delhi	Nov. 23-
Intergovernmental Maritime Consultative Organization: Meeting of	Lake Success	Nov. 30-
Preparatory Committee.		

Scheduled for December 1, 1948

		1948
West Indian Conference: Third Session	Guadeloupe	Dec. 1-
Seventh Meeting of the Caribbean Commission	Guadeloupe	Dec. 1-
First Pan American Congress of Pharmacy	Habana	Dec. 1-8
IRO (International Refugee Organization): Meetings of Executive		
Council.	Rome	Dec. 7-10

¹ Prepared in the Division of International Conferences, Department of State.

² During the Third Session of the General Assembly, the Security Council is meeting in Paris.

Meeting of Fourth Session of the Food and Agriculture Organization

ADDRESS BY PRESIDENT TRUMAN¹

I am delighted to be here this afternoon and to have this opportunity of meeting with the Delegates to the Fourth Session of the Food and Agriculture Organization of the United Nations. There could be no more appropriate time for the United States to be host to a United Nations meeting than during our cherished Thanksgiving holiday.

Those of you of the Food and Agriculture Organization know the importance to nearly all nations of the harvest-time celebration. We in the United States are only one of many peoples who celebrate the gathering of the harvest each year. Other peoples have been celebrating in their own way since ancient times. But there is one feature of our Thanksgiving celebration to which I should like to call your attention.

Our Thanksgiving traditions were begun by some of the earliest settlers of this country. They thought of the Thanksgiving holiday as much more than an occasion for a big dinner, and for thanks to God that the earth had produced an abundant harvest. There was another spirit behind the first Thanksgiving dinner. The colonists invited the Indians to join with them in their celebration. Around that first Thanksgiving table, differences were forgotten, and enemies became friends.

This year our harvest is greater than it has ever been. We have much to be thankful for.

But thanks for a record-breaking harvest is only the beginning of our Thanksgiving, just as it was only a part of Thanksgiving more than 300 years ago. The real spirit of our holiday is in the sharing of this harvest, and in a feeling of warm friendship and good will for others less fortunate.

That is the same spirit in which the Food and Agriculture Organization has brought many nations together.

I know that FAO has many problems ahead of it. Perhaps I should say that the world has many food problems ahead of it, and the peoples of the world are counting on FAO for a major part of the work in solving those problems.

One of the first and most difficult problems is the rebuilding of nations which suffered heavily during the war.

We are making a great deal of headway through

the combined efforts of many nations in the European Recovery Program.

But rebuilding countries that were once self-supporting and prosperous is not nearly so difficult as building up the economies of countries where there is comparatively little to build on. Underdeveloped countries offer a challenge to the ingenuity of those nations which have greater resources.

FAO has clearly recognized the importance of this problem and the responsibility of all countries in helping to solve it.

We have found our Agricultural Extension Service essential to a high level of farm production in our own country. Through our Extension Service, we make sure that our farmers learn about the latest advances in production techniques. This means furnishing practical information and help right on the farm. I know that FAO is already interested in an extension service, but I wish to emphasize that the United States stands ready to help in developing such systems in other countries.

Here in the United States, we have also learned that financial credit is as much a tool of farm production as is a plow, or a bushel of seed. Our system for making agricultural credit available to farmers is one of the keystones of our great farm program. It protects every farmer in the ownership of his land and in the planting of his crops. That is why we have such hopes for the role that another international agency can play in building up the agricultural resources of underdeveloped countries. I refer to the International Bank. The credit needs of underdeveloped countries are great, however, and there is room for all kinds of help. This is a job for private lenders and cooperatives as well as for government institutions.

The achievement of our world goal of abundant food will mean an enlarged flow of commerce in all directions.

An abundant food supply will tear down many artificial trade barriers. Some of these barriers have been erected by those who hoped for protection against low commodity prices elsewhere, but this short-sighted move has led to a slow form of trade strangulation. We must look to food as a common tool for lowering such barriers. We must look to it as a sort of international language for modifying some of the short-sighted policies which have been hampering the commerce of the world.

A few months ago, I urged the Congress of the United States to ratify the international wheat

¹ Made before the Fourth Session of FAO in Washington on Nov. 24, 1948, and released to the press by the White House on the same date.

agreement which would have stabilized the price and volume of wheat in world trade for five years. Many of the nations represented here today participated in that agreement, and many of your delegates are familiar with its provisions. I regret that this agreement was not ratified, but I pledge that if another one can be negotiated, I will send it to the new Congress, which convenes in January, for approval.

Moreover, I look to the general pattern of the wheat agreement as one which might be followed for other commodities. Stability is one of the foundations of peace. National emotions too often rise and fall with changes in commodity prices. We are counting on the Food and Agriculture Organization to remove some of the instability from farm production and farm prices around the world, and thus to remove some of the causes of international friction.

The United States is happy to join with other countries in FAO in giving freely of our technical experience and knowledge in the job of agricultural improvement—making grass grow where it never grew before, irrigating dry land, developing crops for special purposes, and combating crop plagues and pests. I can promise you that this country will continue to send its experts wherever FAO believes they are needed.

One of the ways to restore stability to the world is to produce plenty of food and see that it is distributed fairly.

Hunger has no nationality.

Abundance should have none, either.

I hope that every country, old or new, will become a member of the Food and Agriculture Organization. I should like to see that large agricultural country, Argentina, become a member. I wish that the Soviet Union would also join. I think that if we could discuss with the Russians our mutual interest in agriculture, it would not be so difficult to discuss our differences in some other fields. It is most heartening that several Eastern European nations are members of FAO. I hope this will continue to be true.

I am very glad to learn that so many delegates to this session have accepted the invitations of farm families near Washington to share their Thanksgiving dinners tomorrow. This is the kind of simple, human experience which makes for lasting international good will.

I hope that you will carry back to your homes our Thanksgiving spirit of thanks to God and good will to men, and I know that your American hosts will be the richer for having had you as their guests. From these solid foundations of personal friendship and understanding, we can go on to build the kind of peaceful world we all want.

U.S. Delegations to International Meetings

First Pan American Congress of Pharmacy

The Department of State announced on November 23 that Robert Philipp Fischelis, Secretary of the American Pharmaceutical Association, has been named Chairman of the United States Delegation to the First Pan American Congress of Pharmacy. The Congress is scheduled to be held at Habana December 1-8, 1948.

Delegates

George F. Archambault, Chief, Pharmacy Section, Hospital Division, Bureau of Medical Services, U.S. Public Health Service, Federal Security Agency
 Cmdr. William Paul Briggs, MSC, Head, Pharmacy Section, Professional Division, Bureau of Medicine and Surgery, Department of the Navy
 Don Francke, Editor, Bulletin of the American Society of Hospital Pharmacists, and Chief Pharmacist of the University of Michigan Hospital
 Edward Burns Geiger, Chief, Pharmacy Division, Department of Medicine and Surgery, Veterans Administration
 Col. Othmar Frank Goriup, MSC, Chief, Medical Service Corps, Department of the Army
 Ernest Little, President of the American Pharmaceutical Association
 Justin Lawrence Powers, Editor, Scientific Edition of the Journal of the American Pharmaceutical Association

The main objectives of the Pharmacy Congress are to stimulate interchanges and contributions to

both scientific and industrial pharmaceutical progress and to intensify relations and exchange of information among the pharmaceutical organizations of the Americas.

This meeting has been organized by the Asociación Farmacéutica Nacional (National Pharmaceutical Association, of Cuba) in cooperation with a number of Cuban scientific and social organizations, both private and official.

Fourth Session of the Economic Commission for Asia and the Far East

The Department of State announced on November 26 that Myron M. Cowen, American Ambassador to Australia, has been designated as Chairman of the United States Delegation to the Fourth Session of the Economic Commission for Asia and the Far East, which will begin at Lapstone, New South Wales, Australia, on November 29.

ECAFE is one of the three regional economic commissions of the United Nations Economic and Social Council, the other two being the Economic Commission for Europe and the Economic Commission for Latin America.

ACTIVITIES AND DEVELOPMENTS

ECAFE was established by resolution of Ecosoc on March 28, 1947, for the purpose of facilitating concerted action for the economic reconstruction of the region and raising the level of its economic activity. The Commission may make or sponsor studies of economic and technical problems and development within the area and undertake or sponsor the collection, evaluation, and dissemination of data in the area.

In addition to Ambassador Cowen the United States Delegation will include two officials of the Department of State: Roswell H. Whitman, Assistant Chief of the Division of Investment and Economic Development, and Edward E. Rice, Assistant Chief of the Division of Philippine Affairs. Also on the Delegation will be William W. Diehl, representative of the United States Treasury in Manila, and other officers from United States Missions throughout the region.

Mexican Minister of Foreign Relations Elected Director General of UNESCO

Jaime Torres Bodet, Minister of Foreign Relations of Mexico, has been elected Director General of the United Nations Educational, Scientific and Cultural Organization for a term of six years, the

Department of State was advised on November 26. His nomination by the UNESCO Executive Board was confirmed by a vote of 30 to 3 by the General Conference, which is being held at Beirut, Lebanon. Sr. Torres Bodet succeeds Dr. Julian Huxley, world-renowned British scientist.

Assistant Secretary Allen is chairman of the United States Delegation to the UNESCO conference. In advising the Department of the nomination of Sr. Torres Bodet, Mr. Allen stated:

"The election of Jaime Torres Bodet is an event of profound satisfaction to the United States Delegation and the United States Government. It is a tribute to his country, as well as to him. He won the gratitude of his countrymen and international recognition by his outstanding services as Minister of Education when he provided the leadership for a fundamental education program which has few parallels.

"His achievements since as Foreign Minister have won the respect and friendship of all nations seeking closer relationships and better understanding. His capabilities as an administrator and his intellectual leadership, together with his deep devotion to a peoples movement should be invaluable to UNESCO and contribute immensely to the achievement of its goals."

Freedom of the Road

ACTIONS ON ROAD AGREEMENTS

During the three months that elapsed between the December 1947 and March 1948 sessions of the Working Party on Short Term Problems, Subcommittee on Road Transport, Inland Transport Committee of the Economic Commission for Europe, a further step toward freedom of road transport in Europe was noted by adherence of the Governments of Austria, Luxembourg, Norway, and the United Kingdom to the agreements reached at the first session.¹ At the second meeting, in December, the Governments of the three Western zones of Germany, Belgium, France, the Netherlands, Sweden, Switzerland, Italy, Denmark, and Czechoslovakia agreed to grant or maintain freedom of transit for all road transport of goods; the Governments of the three Western zones of Germany, Denmark, the Netherlands, Sweden, and Switzerland also agreed to grant or maintain freedom of movement for all other international transport of goods which permitted shipments of goods from one country directly to another; and the Governments of the three Western zones of Germany, Belgium, Czechoslovakia, Denmark,

France, Italy, the Netherlands, Sweden, and Switzerland were prepared to maintain all facilities existing for international passenger transport by road. These agreements were to become effective January 1, 1948, and continue for a period of six months.

At the third session, in March of 1948, it was agreed that the freedom of transit for all road transport of goods, all other international transport of goods by road, and facilities for international passenger transport by road would be extended through December 31, 1948. Another important agreement which points to a further achievement in eliminating restrictions on freedom of the road was the granting or maintaining of freedom for international tourist traffic by road. The Governments of Austria, Belgium, France, the Netherlands, Sweden, Switzerland, the United Kingdom, and the three Western zones of Germany adhered to this agreement, commencing April 1, 1948, and continuing through December 31, 1948.

These agreements all remain subject to the following conditions:

(Continued on page 715)

¹ BULLETIN of Jan. 4, 1948, p. 27.

THE RECORD OF THE WEEK

U.S., France, and the U.K. Discuss Controls for Inspecting German Industry in the Ruhr

STATEMENT BY SECRETARY MARSHALL

[Released to the press November 24]

I believe that everyone recognizes that the great industrial region of the Ruhr is essential to the recovery of Europe as well as that of Germany itself. Also I believe the American people recognize the justifiable fears of the French that there should be built up a war potential that might again menace their peace and freedom.

The United States Government would never knowingly be involved in any procedure which in our opinion would reestablish a military menace through the industrial development of Germany. I had a long discussion of this general subject last Friday afternoon with the French Foreign Minister, Dr. Schuman, and with Mr. Hector McNeil, the Representative of the British Foreign Minister, Ernest Bevin. Dr. Schuman expressed the concern of the French Government regarding the recent announcement made at Frankfurt by the Military Governors of the British and American occupied zones in Germany regarding the Ruhr.¹ The decisions announced by the two Military Governors were in keeping with the decisions taken at the previous London conference and had previously, at least so far as General Clay was concerned, been formally approved by this Government. Nevertheless there was a feeling of deep concern on the part of the French Government as I have already stated.

The whole Ruhr issue is one of extreme complexity. It carries in the minds of the French a threat to their peace and security. It involves the great problem that this Government has been facing of providing the large appropriations to meet the deficiencies of the German economy, not only of the American zone but that of the British and now of the French.

There is another consideration which is somewhat lost sight of today. At the end of the First World War the treaty of peace was concluded within, I think, ten months of the end of that war. We are now more than three years past the conclusion of the European war and no treaty of peace is yet in sight. Meanwhile there is an urgent necessity for the restoration of the economy of Europe, of Western Europe in particular, for reasons that anyone can understand and also for very

special reasons with which you are familiar. At the end of this last war, ownership in the Ruhr industries was set aside because of its identification with large combines and the Nazis. Management was made responsible solely to the military government. It is thus impossible for these plants to secure loans for the purpose of rehabilitation and many of them have been operating at a financial loss which has been made up by subsidies indirectly borne by the United States. Hence, it was urgently necessary in the interest of Europe to reorganize the industry under a pattern which would permit responsible enterprises to be under at least a substantive or responsible ownership. This is the basic purpose of the trustee plan announced by the Military Governments. Big combines and property forfeited under the Nürnberg decisions are to be regrouped into smaller self-sustaining units which would be capable of competing in the market place. These small enterprises would be placed under German trusteeship which would be responsible for their efficient and economic operation directly under Allied supervision. Assets and liabilities would be determined and distributed among the enterprises thus formed so that they may be placed on a sound financial basis as rapidly as possible. Procedure is much the same as that under bankruptcy proceedings except that it is being applied to a vast and complex coal and steel industry in one of the great production centers of the world. Obviously completion of this procedure will require several years and it is important that the trustees have a feeling of continuity of policy during this period.

The United States Government believes that adequate security controls can be maintained and provisions are being made for this purpose by the establishment of a Security Commission which will be charged with continued inspection of the German industry. It is obvious that the final determination of the security measures against possible resurgence of German military power must be incorporated in the peace treaty. Security actually does not become a problem during the period of military occupation.

The United States Government has already expressed its willingness to consider further meas-

(Continued on page 715)

¹ Printed in this issue, p. 704.

Reorganization of German Coal and Iron and Steel Industries¹

Military Government—Germany, U.S. Zone of Control Law No. 75

WHEREAS it is the policy of Military Government to decentralize the German economy for the purpose of eliminating excessive concentration of economic power and preventing the development of a war potential

WHEREAS Military Government has decided that the question of the eventual ownership of the coal and iron and steel industries should be left to the determination of a representative, freely elected German Government

WHEREAS Military Government has decided that it will not allow the restoration of a pattern of ownership in these industries which would constitute excessive concentration of economic power and will not permit the return to positions of ownership and control of those persons who have been found or may be found to have furthered the aggressive designs of the National Socialist Party

WHEREAS it is expedient that those industries should forthwith be reorganized with a view to the promotion of the recovery of the German economy

WHEREAS the Military Governors and Commanders-in-Chief of the British and United States Zones of Occupation have agreed on the measures to be taken in their respective Zones for these purposes; and

WHEREAS the Military Governor and Commander-in-Chief of the British Zone is promulgating Law No. 75 in order to give effect to this agreement

It is therefore ordered:

Article I

Decartelization

1. The enterprises enumerated in Schedule A of this Law are hereby declared to be excessive concentrations of economic power or otherwise deemed objectionable and therefore subject to reorganization within the purview of Military Government Law No. 56 Prohibition of Excessive Concentration of German Economic Power. The

controlling companies in each of these enterprises shall be put into liquidation forthwith and a liquidator appointed, or current liquidation proceedings confirmed, as the case may be.

2. The title to assets located in the U.S. Zone owned or controlled by undertakings listed in Schedule B hereof is hereby declared to be subject to seizure by Military Government. Pending a determination on their seizure, these assets, if not already under such control, are hereby placed under control pursuant to the provisions of Military Government Law No. 52. The functions of exercising the powers of control over such assets as provided in Law 52 are hereby vested in the UK/US Coal Control Group.

Article II

Reorganization of the Coal Industry

3. The title to assets located in the U.S. Zone and owned or controlled by undertakings possessing colliery assets as defined in Article XII hereof is hereby declared to be subject to seizure by Military Government. Seizure of such assets shall be effected by nomination by Military Government or its designated agency whereupon the assets so seized shall be transferred by Military Government and title thereto vested in companies which shall be formed for the purpose under German law. These companies shall be formed by and shall have for their shareholders such persons of German nationality as may be designated by or under the authority of Military Government after consultation with appropriate German bodies. The persons thus designated shall be known as trustees and shall hold the shares allotted to them in the companies on behalf of the owners of the collieries and associated undertakings affected by this article in accordance with instructions issued by Military Government.

4. Pending a determination on their seizure, the assets described in paragraph 3 above, if not already so subject, are hereby made subject to the provisions of Military Government Law No. 52. The function of exercising the powers of control provided by Military Government Law No. 52 over such assets is hereby vested in the UK/US Coal Control Group. On completion of the transfer of the title of colliery assets to a new company, as provided for in paragraph 2 hereof, such assets shall cease to be subject to the provisions of Military Government.

¹ Released to the press by OMGUS in Berlin on Nov. 10, 1948. Law no. 75 will apply to the U.S. Control Area of Germany. A similar law applicable to the British Control Area of Germany was issued simultaneously by British Military Government. It is emphasized that this is not necessarily the final version. The law will be formally promulgated within the next few days and it is possible that minor alterations will be made before final promulgation.

tary Government Law No. 52. The remaining assets of enterprises having colliery assets shall, in the case of enterprises not enumerated in Schedule A or Schedule B, cease to be subject to the provisions of Military Government Law No. 52 and shall, in the case of enterprises enumerated in Schedule A, be transferred to the liquidator referred to in Article I hereof who shall dispose of them in accordance with the orders of Military Government.

5. The Deutsche Kohlenbergbau-Leitung shall be reorganized as an Aktiengesellschaft with the Deutscher Kohlen Verkauf and Bergbaubedarf Beschaffungs Zentrale as subsidiary companies. The Aufsichtsrat of the reorganized Deutsche Kohlenbergbau-Leitung shall be selected from the Trustees mentioned in paragraph 3 and as provided for in Article IV.

6. Military Government will provide by Regulation for—

(a) the rules governing the formation of companies pursuant to paragraph 3, the allocation of assets to such companies, the number of trustees, their powers and duties, their relationship to Military Government, to German agencies, to the companies referred to in paragraph 5 hereof, and to the previous owners of the affected undertakings;

(b) the organization and functions of the companies referred to in paragraph 5, their relationship to Military Government, to German agencies and to the companies to be formed under paragraph 3.

Article III

Reorganization of the Iron and Steel Industry

7. The title to assets located in the U.S. Zone, owned or controlled by undertakings listed in Schedule A hereof and not affected by Article II hereof and title to the assets owned or controlled by Roehling-Buderus AG and Buderusche Eisenwerke-Wetzlar, are hereby declared to be subject to seizure by Military Government. Pending a determination on their seizure, the assets described in this paragraph, if not already under such control, are hereby placed under control pursuant to the provisions of Law No. 52. The function of exercising the powers of control over such assets, as provided in Law 52, is hereby vested in the UK/US Steel Group.

8. A Steel Trustee Association consisting of German nationals shall be established for the purpose of assisting in decentralizing and reorganizing the iron and steel industry. The members of the Association shall be appointed by or under the authority of Military Government, after consultation with the appropriate German bodies.

9. Title to the assets declared subject to seizure by paragraph 7 of this law will, upon notice, be seized by Military Government and, upon seizure, shall be transferred to and vested in the Steel

Trustee Association or the new companies provided for in paragraph 10 below.

10. The Steel Trustee Association shall as soon as possible submit for the approval of Military Government plans for the further reorganization of the Iron and Steel Industry. The plans shall provide for the formation of new companies (hereinafter referred to as unit companies) to which shall be transferred assets seized as provided in paragraph 8 hereof and may provide for the merger or amalgamation of such assets and for the absorption of additional assets which may include assets outside the field of the Iron and Steel Industry.

11. On the approval of the plan for each unit company, with such modifications as Military Government may direct, the title to the assets affected shall be transferred to and vested in the new unit company which shall have as its shareholders such persons of German nationality as may be designated by or under the authority of Military Government, after consultation with appropriate German bodies. The persons thus designated shall be known as Trustees and shall hold, in accordance with regulations or orders issued by Military Government, the shares allotted to them on behalf of the owners of the iron and steel undertakings affected by this Article.

12. On completion of the transfer of the title to assets to a unit company, such assets shall cease to be subject to the provisions of Military Government Law 52. The remaining assets of the enterprises brought under control by paragraph 7 hereof shall, in the case of enterprises not enumerated in Schedule A or Schedule B, cease to be subject to the provisions of Military Government Law No. 52 and shall, in the case of enterprises enumerated in Schedule A, be transferred to the liquidator referred to in Article I hereof who shall dispose of them in accordance with the orders of Military Government.

13. Military Government will provide by regulation for—

(a) the organization and functions of the Steel Trustee Association, its powers and duties, its relationship to Military Government, to German agencies and to the German Iron and Steel Industry, both before and after the formation of unit companies;

(b) the rules governing the number of unit companies to be formed, the allocation of assets to such companies, the number of Trustees, their powers and duties, their relationship to Military Government, to German agencies, to the Steel Trustee Association and to the previous owners of the affected undertakings.

Article IV

United Nations Interests

14. Except for those enterprises enumerated in Schedule A, as subject to reorganization within the

purview of Military Government Law No. 56, enterprises, the share capital of which before 1st September, 1939 was owned to the extent of more than 50 per cent by United Nations nationals, shall not be subject to the provisions of Articles II and III hereof. Provision shall, however, be made by regulation for the representation of such enterprises on the Aufsichtsrat of the reorganized Deutsche Kohlenbergbau-Leitung.

15. United Nations interests in the Coal and Iron and Steel Industries acquired before 1st September 1939 may be represented by persons holding powers of attorney for the owners.

16. The provisions of this Article shall not in any way limit or affect the powers of the UK/US Coal Control Group or the Deutsche Kohlenbergbau-Leitung, in its present or future form, over production and distribution in the Coal Industry.

Article V

Liabilities

17. Assets, the title to which is seized and transferred under the provisions of Articles II and III, hereof, are hereby declared to be free and clear of all charges and encumbrances.

18. The proceeds which may become available from the eventual sale of shares in companies formed under Articles II and III hereof shall be made over to the undertakings, the assets of which have been transferred, or their successors in interest, or liquidators, in proportion to the value of the transferred assets, and shall be available for the satisfaction of creditors in accordance with their original rights under the provisions of German law, provided that Military Government may order priorities for the satisfaction of debts arising during the period of Military Government control.

Article VI

Former Reich and Prussian State Interests

19. Enterprises and holdings of the former Reich or Prussian State shall be subject to the provisions of this Law. Interests of the former Reich or Prussian State in companies formed pursuant to this Law shall be represented by the Trustees referred to in Articles II and III hereof and shall be dealt with in accordance with the provisions of such regulations and orders as may be issued under Article XI hereof or other relevant legislation.

Article VII

Amendments and Repeals

20. Insofar as the provisions of Military Government Law No. 52 or 56 are inconsistent with the provisions of this Law, this Law shall prevail.

21. This Law, and all regulations and orders issued thereunder, shall prevail over provisions of German law inconsistent therewith.

Article VIII

Tax Provisions

22. Taxes and other duties shall not be imposed in connection with any transfer pursuant to Articles II and III of this Law, nor shall any tax or other duties be imposed in connection with the formation of new companies as provided herein.

23. The vesting in Trustees of ownership interests in the companies formed pursuant to Articles II and III hereof shall not affect the computation of the tax liabilities of such companies. The assessment of all taxes on such companies shall be according to the principles of German tax law which would be applicable to them in the absence of trustees.

Article IX

Attestation

24. The appropriate German authority shall register transfers made pursuant to this Law without any attestation upon presentation by Military Government of a certified list of the assets to be transferred.

Article X

Penalties

25. Any person violating or evading or attempting to violate or evade or procuring the violation of any provision of this Law or of any regulation or order issued thereunder shall, upon conviction be liable to a fine of not more than DM 200,000 or to imprisonment for not more than five years or both.

Article XI

Regulations

26. Military Government may from time to time issue regulations and orders in implementation or amplification of this Law.

Article XII

Definitions

27. For the purpose of this Law and any regulation or order issued thereunder—

(1) "Colliery assets" shall mean assets located on or physically connected with a colliery or economically essential to the operation thereof and include the following properties and interests of the coal mining industry—

(a) Coalmines and unworked coal.
"Coal" includes steinkohle, pechkohle and braunkohle, together with such other minerals as are normally mined by colliery undertakings in association with the foregoing.

"Mine" includes quarry, opencast, drift and deep mine workings and borings associated therewith.

(b) Fixed and movable property used for colliery activities and the following ancillary activities: coal carbonization, coal products distillation

processes allied with colliery activities and processes associated with briquetting plants, manufactured fuels, hydrogenation plants, synthetic plants, nitrogen and ammonia plants, plants for the provision of gas to the gas grids, brick, tile and similar works and property used for the supply of water from or to a coal mine.

(c) Property used for generating and transmitting electricity, consumed exclusively or mainly in the course of colliery and ancillary activities.

(d) Railways, aerial ropeways, canal waterways and other fixed and movable property used exclusively or mainly for inland or water transport, loading, discharging, handling or storing of products of colliery and ancillary activities, or articles required for colliery or electricity activities and ancillary activities, when such equipment is used exclusively for internal transport within the area of a colliery.

(e) Fixed and movable property of the colliery undertaking used exclusively or mainly for the purposes of the sale or supply by colliery concerns of products of colliery and ancillary activities.

(f) Fixed and movable property of the colliery undertaking used for such welfare activities as hospitals, baths, canteens or for the provision of benefits for the staff employed in colliery and ancillary activities.

(g) Patents in respect of inventions relating to processes applied in the course of colliery and ancillary activities or to production in connection with these activities and trade marks used or intended for use in relation to such production.

(h) Stocks of products of colliery and ancillary activities.

(i) Consumable or spare stores available for use for colliery and ancillary activities.

(j) Interests of colliery undertakings in dwelling houses and land used to provide housing accommodation for the workpeople and staff employed in colliery and ancillary activities.

(k) Interests of colliery undertakings in forests, farms, farming stock and other agricultural property, and all land owned by colliery undertakings, including land to be used for the enlargement of surface installations and similar activities.

(l) Interests of colliery undertakings in technical organizations, all organizations engaged in research for the colliery industry and ancillary activities, testing stations designed to secure safety in mines and in allied activities, and schools and institutes engaged in training for the mining and ancillary activities.

(m) Liquid assets, including accounts receivable and cash in hand which are attributable to the operation of the assets specified herein.

(2) "Coal carbonization and coal products distillation processes" shall mean the distillation of coal by any process, and the treatment, rendering

and distillation of salable products arising from the distillation of coal.

(3) "Electricity property" shall mean power stations, transformers, transmission lines and other fixed and movable property used in connection with the generation or transmission of electricity.

(4) "Fixed property" shall mean all buildings, works, fixtures and fixed machinery and plant and the sites thereof.

(5) "Movable property" shall mean all movable machinery and plant, wagons and other vehicles, engines, tractors, vessels, animals and movable equipment of any kind.

(6) "Undertakings" shall mean enterprises of any nature whatsoever.

Article XIII

Effective Date

28. This Law shall become effective in the Laender of Bavaria, Hesse, Bremen, and Wuerttemberg-Baden on 10 November 1948.

BY ORDER OF MILITARY GOVERNMENT

Schedule A to U.S. Military Government Law No. 75

Enterprises Declared To Be Excessive Concentrations of Economic Power, or Otherwise Deemed Objectionable and Therefore Subject to Reorganization Within the Purview of—

MILITARY GOVERNMENT LAW No. 56	{ PROHIBITION OF EXCESSIVE CONCENTRATION OF GERMAN ECONOMIC POWER
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1. Vereinigte Stahlwerke Aktiengesellschaft
2. Fried. Krupp
3. Mannesmannroehren-Werke
4. { Kloeckner-Werke Aktiengesellschaft
Kloeckner & Co.
5. Hoesch Aktiengesellschaft
6. Otto Wolff
7. { Gutehoffnungshuette Aktienverein fuer Berg-
bau und Huttenbetrieb
Gutehoffnungshuette Oberhausen Aktiengesellschaft
8. Ilseder Huette
9. Reichswerke Complex
10. Flick Complex
11. Thyssen-Bornemisza Group
12. Stinnes Complex
13. Rheinisch-Westfaelisches Kohlen-Syndikat
14. Niedersaechsisches Kohlensyndikat Gesellschaft mit beschraenkter Haftung
15. Rheinisches Braunkohlen-Syndikat Gesellschaft mit beschraenkter Haftung
16. Westfaelische Kohlenhandels-ges Gastrock & Co.
17. Kohlenhandelsgesellschaft "Hansa," Kallmeier & Co.
18. Kohlenhandelsgesellschaft "Mark," Siepmann, Schrader & Co.

19. Westfaelisches Kohlenkontor Naht, Emschermann & Co.
20. Kohlenhandelsgesellschaft "Niederrhein," Weyer, Franke & Co.
21. Kohlenhandelsgesellschaft "Westfalia," Wiesebrook, Schulte & Co.
22. Kohlenhandelsgesellschaft "Gluckauf" Abt. Beck & Co.
23. Deutsche Kohlenhandelsgesellschaft Lüders, Meentzen & Co.
24. Kohlenkontor Weyhenmeyer & Co.
25. Westfaelische Kohlenverkaufsgesellschaft Vollrath, Weck & Co.
26. Kohlenwertstoff A. G.

Schedule B to U.S. Military Government Law No. 75

Enterprises Declared To Be Subject to Seizure by Military Government, the Assets of Which Are Placed Under Control Pursuant to Military Government Law No. 52

1. Vereinigte Elektrizitäts-und Gewerks-A. G.
2. Rheinisch-Westfaelisches Elektrizitätswerk A. G.
3. Vereinigte Elektrizitaetswerke Westfalen A. G.
4. Vereinigte Industrieunternehmen A. G.

OUTLINE OF DECISIONS²

The U.S. and U.K. Military Governors have had under review the structural reorganization and the pattern of ownership in the coal and iron and steel industries. The following constitutes an outline of the decisions which have been reached and which will be put into operation in the near future and which are embodied in the laws and schedules which have been made available to you today.

In the first place the Military Governors wish to make it clear that the restoration of a pattern of ownership in these industries which would constitute an excessive concentration of economic power will not be allowed. Nor will the return to positions of ownership and control of those individuals who permitted and encouraged the aggressive designs of the national socialist party be permitted. Secondly the Board considers the question of socialization to be one that is properly within the competence of a representative freely elected German Government, the sovereignty of which may extend over the whole of Germany or may be confined to Western Germany only. Accordingly the Board will not take any action in regard to the coal and iron and steel industries in the Combined Area which will prejudice a decision by such future German Government as to the pattern of ownership to be established for those industries. At such a time as a representative freely elected Government either for Germany as a whole or Western Germany alone is constituted it shall be at liberty to resolve this question within the limitations of Military Government policy already expressed.

The Board considers that in the meantime an

² Released to the press by OMGUS in Berlin on Nov. 10, 1948. This statement relative to the U.S. and U.K. plans for the "Reorganization of German Coal and Iron and Steel Industries" was issued simultaneously on Nov. 10, 1948, to German representatives of the Economics Council; of the Länderrat and the Bizonal Executive Committee in Frankfurt; of the steel industry and its trade-union leaders at Düsseldorf; and of the coal industry and its trade-union representatives in Essen.

interim reorganization of these industries is essential in the interests of the recovery of the German economy. Accordingly, the Board has decided to take certain steps which, without prejudicing the ultimate settlement of ownership have the purpose (a) to transfer the custody of the assets in these two industries and the exercise of ownership functions to German hands (b) to strengthen and improve existing German organizations and to provide German organizations where none exist and the need is considered as established (c) to encourage a return to a more normal method of working, under which directors and management will have the motive and the opportunity to assume their proper responsibilities and liabilities (d) to provide or adjust Military Government organizations in these industries on a Bipartite basis.

In formulating the plan to give effect to these objectives, The Board has decided that undertakings in the coal and iron and steel industries in which Allied interests as at 1st September 1939 owned the share capital to the extent of more than 50 per cent should be excluded from the application of these decisions.

Enterprises which fell within this definition and which are not subject to reorganization under decartelization legislation will be released from the control at present exercised by Military Government under the provisions of the relevant orders issued under Law 52 and the owners of such enterprises will be at liberty to resume their normal functions except that in the case of the coal industry the powers of Military Government which are vested in the UK/US Coal Control Group and the powers over the production and distribution of coal allotted by Military Government to the DKBL in its present or future form shall in no way be limited or affected by these arrangements.

The following is a summary of the steps which will be taken in the coal industry.

The colliery undertakings within an established definition will be withdrawn from their parent

enterprises and set up under new companies to be formed for the purpose under German Law. Military Government will decide in broad outline the assets which will be allotted to each new company and will seize and transfer the title to such assets to the new companies. In grouping these colliery interests for the future, care will be taken to group in accordance with the requirements of efficient operation and to avoid undue dislocation.

German nationals will be appointed as Trustees for each new company by Military Government after due consultation with the appropriate German bodies. Three to five Trustees will be appointed per company and will hold the shares of the company in equal proportion. The shares will be held on behalf of the owners but the rights of the owners will be limited to receiving appropriate proceeds arising from the eventual disposal of the shares and shall not include the right to influence or affect the acts of the Trustee.

Trustees will be responsible to Military Government for the efficient discharge of their duties. The managements of the new companies will be subject to the over-all authority assigned to the DKBL. The Trustees will exercise the functions of ownership except that they shall not distribute earnings and shall not be entitled to dispose of the shares or the capital assets of their companies without the approval of Military Government.

The DKBL and its subsidiary companies the DKV and BBZ will be formed into Aktiengesellschaften. The shares of DKBL will be held by Military Government, and DKV and BBZ will be fully owned subsidiaries of the DKBL. Members of the Aufsichtsrat of the DKBL will be appointed from Trustees of the new coal companies by Military Government who will ensure that the constitution of the Aufsichtsrat is broadly representative and who will arrange for the inclusion of appropriate representation of Allied-owned mines in the Aufsichtsrat.

The reconstitution of the DKBL will be delayed until a sufficient number of Trustees appointed to the new coal companies are available for nomination to the Aufsichtsrat. In the meantime the DKBL will continue under its present constitution.

Steps of a similar nature will be taken in the iron and steel industry. In this case the programs envisaged consist of two phases. In the first phase a steel trustee association will be formed consisting of 12 members who will be appointed by Military Government after due consultation with appropriate German bodies. The shares of the new companies which have already been formed to operate the steel-producing industry will be transferred to the association and the assets at present operated by these companies, including assets at present held on lease from the owners, will be seized by Military Government and the title thereto transferred to the association.

During this phase the association will exercise the functions of ownership except that it shall not be entitled to distribute earnings or to dispose of either the shares or the assets which it holds and shall be subject to the over-riding authority of Military Government through the Agency of a Bipartite Steel Group which will be formed for the purpose. In the fields of current production and distribution the association will have advisory functions only. Other iron and steel-producing assets as may be approved by Military Government may also be transferred to the association.

During the first phase the association will have as its primary task the proposal of measures for the further reorganization of the iron and steel industry with the object of combining the assets now held by the steel producing companies into a fewer number of companies in order to obtain production units of optimum efficiency. In formulating their recommendation the association will be at liberty to propose the inclusion of additional assets of the former iron and steel and coal complexes in order to provide sound economic units of a size and range capable of sustaining the steel fabricating industry in competition with the world markets. Such additional assets may include colliery assets and particular attention will be directed to the treatment to be accorded to the iron ore mining industry. The criteria which will govern the proposals for this further reorganization will be purely economic and the former ownership groupings will be ignored entirely.

The second phase envisages the completion of the formation of new unit companies and the appointment to them of German nationals as Trustees in a manner similar to that adopted in the coal industry. At this stage the Trustee association will cease to exercise the powers of ownership which will be vested in the hands of the Trustees for each unit company. The association will then assume the normal functions of a trade association except that, for the time being, membership will be compulsory on the basis that each unit company will nominate one of its trustees as a member of the association.

Finally as a complementary step to the reorganizations plans for the coal and iron and steel industries it has been decided to take action in these fields in order to apply the decartelization policy which has been adopted in the Combined Area. Accordingly the exceptions from the application of Ordinance 78 which were made at the time of promulgation of the decartelization legislation in the case of the coal and iron and steel industries and the firm of Friedrich Krupp will be cancelled. The undertakings involved will become subject to the provisions of the implementing regulations of this Law except that Military Government has decided without further delay to declare a number of the original combines to be

excessive concentrations of economic power or otherwise to be objectionable. The controlling companies in each of these enterprises will be put into liquidation or current liquidation proceedings confirmed as the case may be. The names of concerns which will be dealt with in this manner are shown in schedule A of the Law.

In conclusion I am instructed to emphasize that the Military Governors have special responsibility in regard to the coal and iron and steel industries, of which they cannot divest themselves at this stage. These industries, the bulk of which is located in the British Zone, have been in the control of the British Commander-in-Chief. By agreement between them the Military Governors are now transferring the powers of ownership, with certain qualifications, to German Trustees. The Military Governors however are retaining certain control powers. They are bound to do this on account of international agreements to which their Governments are party and they are bound to retain a

measure of control until the final disposition of ownership has been determined. Therefore the decisions which are being announced to you today are necessarily decisions of the Military Governors taken by them in the light of their special responsibilities for these industries.

Before these decisions were reached the views of the various interested German authorities and organizations, which are well known to Military Government, were given full consideration, and as far as possible and as far as it is compatible with Military Government policy, these views have been incorporated in the plan. The Military Governors are confident that this development will be welcomed by German opinion in general, and look forward to the whole-hearted cooperation of all affected Germans in the implementation of the plan, and to the attainment by joint effort, of the common objective of increased production and an effective German contribution to the recovery of Europe as a whole.

U.S. Charges Bulgarian Trials Violate Peace Treaty

After a trial which followed the familiar Iron Curtain pattern and was predicated on the usual vague charges and "confessions", severe sentences have been meted out to a small group of Independent Socialist deputies led by Kosta Lulchev, who constituted the last parliamentary opposition to the Bulgarian Communist Government. The sentences ranged from life imprisonment for one defendant (*in absentia*) to a minimum of 10 years. Mr. Lulchev was given 15 years. Accompanying these prison terms were severe monetary fines.

Prior to the arrests of these men their fate was foreshadowed by Prime Minister Dimitrov, who warned them in Parliament on January 12, 1948: "If you do not attempt to grow wiser, you will receive from the people a lesson which you will remember up to 'St. Peter'".

In thus terminating the final pretense of Bulgarian democracy by eliminating these remaining elected representatives of the opposition, the Bulgarian regime has again violated its covenanted obligation under article 2 of the treaty of peace to assure its citizens basic fundamental freedoms.

During the trial, the Bulgarian prosecutor endeavored to implicate United States official personnel in Bulgaria in the improper activities charged against the defendants. The United States Minister has delivered the following note to the Bulgarian Foreign Minister in connection with the prosecutor's assertions:

I refer to accounts of the trial of Kosta Lulchev and others published in *Otechestven Front*, containing statements alleged to have been made in

the course of the trial concerning relations of the defendants with American officials and personnel.

According to those accounts, the prosecution endeavored to demonstrate that various conversations between the defendants and the United States Political Representative in Bulgaria in 1945 and 1946 constituted treasonable activity. The prosecution further alleged subversive involvement with Bulgarian political forces on the part of an enlisted United States soldier.

With regard to conversations between the defendants and the United States Political Representative, the Bulgarian Government is reminded that Bulgaria was at that time under an Armistice regime, and when requested, free discussions of Bulgarian political affairs with representatives of the Armistice powers was accordingly incumbent upon Bulgarians. It may be added that no discussions have taken place between United States officials and Bulgarian nationals during the Armistice period or subsequently which could be regarded as improper then or following the conclusion of peace. As for the prosecution allegation regarding an American enlisted soldier, the absurdity of the charge should have been apparent. The individual was a mess sergeant whose duties comprised the procurement of food for members of the Allied Control Commission.

The United States Government, in registering its objection to these preposterous assertions of the public prosecutor, takes exception to this irresponsible conduct of a Bulgarian official toward the United States.

Department of State Bulletin

Contribution of Western European Countries to Economic Recovery

BY WILLARD L. THORP¹

Assistant Secretary for Economic Affairs

Three years ago, in 1945, your nation and mine emerged from one of the greatest cataclysms of history. The peoples of our countries, of all the Allies, groped from the darkness of war to the light of peace expecting something changed, something new.

The statesmen who were preparing the peace were not unmindful of this deep-rooted sentiment among all peoples who stood in the battle lines. They planned the postwar period with a thoroughness which probably has never been equalled before in history. For example, well before the war's end the concept of the United Nations began to take form, with a Charter designed to provide machinery for the preservation of the peace. The process of postwar planning did not stop there. UNRRA was blueprinted for the immediate emergency period. The International Bank for Reconstruction and Development was mapped out to provide the capital for long-range recovery. The International Monetary Fund and the International Trade Organization were to guide and guard economic health. Other organizations were conceived to develop international cooperation in specialized fields, such as the Food and Agriculture Organization, the World Health Organization, the United Nations Educational, Scientific and Cultural Organization and the like. In a word, a careful groundwork was laid and it was hoped that these new international instruments would serve as a solid foundation for the future, that recovery would not be long delayed, and that the peace would promise well.

Unfortunately, the difficulties in the way of economic recovery, which is the true basis of social and ultimately of political security, were underestimated. The destruction was greater than the human mind had been able to grasp. The dislocation was more severe. Markets were disrupted; normal trade channels were blocked; the customary patterns of trade balance and the means of foreign payment for countries whose economic life had been built on the expectation of international trade were destroyed.

As time went on, the interdependence of the recovery of the countries in the Western area became increasingly clear. In other words, the recovery

of a country depends not alone on what it would and could do itself; it depends also on the behavior of other countries.

I need not tell you in Belgium this. You were the first to take bold steps towards economic recovery, and you were in the forefront of those cutting with a surgeon's knife the impediments to economic recovery. You moved forward towards economic health well ahead of many other countries, and the limiting factor on your accomplishment in substantial part has come from without rather than from within. In a word, your international economic relationships failed to keep pace with your domestic development, and you suffered the consequences. Recovery must be a joint product.

Until about a year ago, the United States dealt with the problem of assistance for recovery, nation by nation. There were UNRRA, with 70 percent of the cost borne by the United States, and two subsequent fully U.S.-financed assistance programs, whose operations were based on country allocations. There were loans by the United States Export-Import Bank on a case-by-case basis, as were the loans by the International Bank. These separate and individual efforts just did not seem to be fully effective, and the American Congress became less and less satisfied with the piecemeal approach to the problem while, concomitantly, in Europe the need for an interdependence of planning became more and more clear. From this thinking on both sides of the ocean the European Recovery Program was born.

The European Recovery Program is a great experiment in economic cooperation, and I am sure that all of us who are involved can be very proud of it as a demonstration of the finest kind of constructive international undertaking. For the United States, it is, to put it very simply, a matter of giving you assistance so that you can help and strengthen yourselves. Unfortunately, although you and men of good will throughout Western

¹ An address made before the Rotary Club in Brussels on Nov. 23, 1948, and released to the press by the U.S. Delegation to the third regular session of the General Assembly on the same date. Mr. Thorp is Alternate Delegate of the United States to the General Assembly.

Europe understand our purposes, there are countries and political groups which have deliberately misconstrued our aims and are exerting their utmost to sap and sabotage the European Recovery Program and to poison with vicious lies and violent charges the atmosphere in which it must accomplish its creative effort. Since they chose, or were directed, not to join in the great effort, they continually appear to be under a strange compulsion to justify that decision. To those who knew the facts, these interpretations of the ERP by its enemies are clearly in the realm of fiction.

I should like to emphasize the fact that the European Recovery Program is *European*. I mean to say that although the original initiative was American, the major part has been played, is being played, and will be played by the participating European governments. Over a year ago, the representatives of the 16 European governments blocked out the fundamental analysis which underlies the program. They next signed an agreement defining their joint purposes. They then set up the OEEC, the Organization for European Economic Co-operation—which is the operative organ in this field—of which the United States is not even a member. Through this organization the 16 undertake a major part of and all the initial planning. The United States enters the picture largely to match the requirements as developed by the European governments with the availabilities in the United States and from other sources. In short, the United States services a European program. It is the greatest of injustices to the European countries themselves to picture ERP as an American concept—I shall not insult you by picking up the propaganda word “plot”—when it is Europeans who have done so much to found and implement and vitalize the project.

Now, the peoples of what for the present we must limit to Western Europe have characteristics and institutions and traditions in common with the people of the United States. They have protective procedures with regard to the development of their public policies which assure the maximum of freedom and independence. Thus, those public policies are arrived at openly. There is public discussion of current issues. There is a free press. Multiple political parties represent the various shadings of opinion. There are free elections, which make it essential for the Government holding power in trust for the citizens to be responsive to their will if it wishes to survive. In short, in Western Europe as in the United States there is an open, untrammelled, democratic society which both Americans and Europeans wish to preserve as the principal source of their strength and the surest armor against interference and domination from the outside. I mention this because it has been suggested that your governments, under the pres-

sure of economic necessity, have transferred great areas of authority and control over your affairs to the United States. Not only has no government in Western Europe done any such thing, but from our side, we in the United States wish the most independent and strong kind of Europe and one which will withstand all pressure from without, preserving for its children that kind of good society in which alone free men can hope to survive.

Anyone who takes the trouble to read the bilateral agreements setting up the European Recovery Program will speedily recognize that the basic commitments by the European countries are those which they had already taken among themselves in their own organization—to use their best efforts to achieve recovery, and their obligations to the United States are primarily directed to providing assurance that the American assistance will be used efficiently and effectively for the same purpose. These agreements are written against the knowledge that the participating countries of Western Europe are as jealous as we are in the United States of their rights and freedoms and open in their procedures. It is our most earnest hope that they, as we, will so remain.

Indeed the European Recovery Program clearly has as its objective not to increase European dependence on the United States but to reduce that dependence. We are living in a world of shortages. There are shortages everywhere, but fortunately American productive machinery which escaped war's destruction is able to operate at a high level. It produces goods which are needed in Europe and which, under the European Recovery Program, are sent to Europe even though there is no prospect of payment. It is obvious that this cannot continue indefinitely. Therefore, the object of this mission must be not to set up an American monopoly or a market but to raise European production and adjust trade to the point where participating countries can be self-supporting once more and where any so-called dependence on other areas will disappear.

I am certain that you know as well as we do in the United States that one of the most earnest prayers in the wishful thinking of those who want the ERP to fail is that our country will run into another economic crisis and that the workers of the United States will be without employment with destructive social consequences. Day after day this theme has pervaded the propaganda of those who wish us ill.

Strange to say, however, their prophesies are not fulfilled, and in order to justify their failure as social and economic Cassandras they have launched the comforting thought—to them—that the United States is sending tremendous shipments of goods to Europe in order to ward off a crisis. Let me

say to you that even if all shipments of goods were to stop, there would be little more than a readjustment in our economy and certainly no crisis. The shipments to Europe, although heavy, are still only a small percentage of our total production, and we still have shortages in the United States. There are tremendous demands upon our industry from our domestic economy and many areas of the world other than Europe remain to be served. We are not seeking markets abroad for surplus goods. We have no need to expand our trade to maintain our economy and certainly not on a grant basis.

Moreover—in form as well as volume—Europeans are directing their recovery, and we are happy to help them to this end too. As you know, the programing is done by each European country in the first instance itself and then through the OEEC with other European countries, and finally with the United States. This applies to agriculture as well as industry. The United States is wholly sympathetic with the European wish to place agriculture at the top of all needs and will, so far as possible, contribute to the expansion of agriculture in all European countries. In the industrial field European governments felt that they could provide a large part of their requirements and this decision is respected by us.

In a word, it is the ardent wish of all Americans that agriculture, industry, and trade in Europe will be stimulated by our aid and will expand to the outside limits of possibilities in present conditions.

The principles which underlie the European Recovery Program are basic principles for economic progress anywhere in the world. No one can deny that improved standards of living and steady and secure employment rest upon increased production, financial stability, and the expansion of trade. Nor can one deny that the efforts of many countries working cooperatively can achieve much more than the same amount of energy expended separately in countries acting in isolation.

Your country and my country have been leaders in the effort to see that these economic objectives be steadily pursued not merely in the European Recovery Program, but in the broader operations of the United Nations.

I am sure that this is perfectly clear to men as well informed in economic matters as you must be, and as I have found your compatriots to be in the last several years as I have worked with them on many economic problems. I need only mention with a sense of real appreciation the leadership which M. Camille Gutt has given to the International Monetary Fund and the part which your representatives played in developing the Havana Charter with its program for trade expansion and the establishment of the International Trade Organization. In fact, every day in the various

phases of the economic program under the United Nations I sit down with the delegates and experts of Belgium and find that we can always work happily and constructively together.

My specialty is the economic phase of our international responsibility, and as a consequence my special concern is with economic recovery and the progress towards constantly higher standards of living. I have therefore dwelt on the economic aspects of the postwar and the march to economic unity. It cannot be overlooked, however, that there are clear relationships between economic health and political stability. They are closely interrelated and while we may say that "Man cannot live by bread alone", neither can he live without it. Promises and panaceas seem brightest to the hungry and dissatisfied and dispossessed. Calm heads do not usually go with empty stomachs. Evolution instead of revolution takes place only when the economic atmosphere is one of hope, not fear.

The winning of the great freedoms—freedom in economic terms, freedom in political terms, freedom from war and threat of war—is the paramount problem of our time. Some of us, therefore, are working to promote economic security; others in a parallel operation are putting together the sticks and stones of political security.

I am happy to record that in the last months there has been a real progress in the direction of political as well as economic security. There is a definite trend towards real accomplishment, in deeds, not only words. Benelux is a growing reality. Under the Brussels pact, to which our Senate has given a sympathetic accolade, practical steps have been taken to integrate security measures through a unified Western command. Conversations are now taking place which will have the effect of enlarging the scope of these measures to the whole Atlantic area. Unity is coming in the Western world, in short, and the kind of unity that is the peoples' due. Your distinguished statesman, Foreign Minister Spaak, has been one of the moving spirits in this accomplishment and it has been a privilege to follow the course at close range of his eminent leadership.

There is, in short, a blueprint today with economic aspects and with political aspects and even with military aspects, from which we can construct a stronger West. Day by day the graph on this blueprint mounts and achievement is recorded. The contribution of the United States to this accomplishment is a small part compared to what Europeans are doing themselves for themselves. But what the American people give they give with the fullest measure of good will and with the sincerest hope that the darkest days of fear and insecurity will soon be behind and that ahead will lie a future bright with the promise of prosperity and the assurance of enduring peace.

Entry Into Force of International Whaling Convention Proclaimed

[Released to the press November 26]

The international convention for the regulation of whaling, which was signed at Washington on December 2, 1946, was proclaimed by the President on November 19, 1948. The President's proclamation is effective from November 10, on which date the Netherlands Government deposited with the Department its instrument of ratification of the convention. Since instruments of ratification had been previously deposited by the United States, Australia, Norway, the Soviet Union, the Union of South Africa, and the United Kingdom, this action by the Netherlands was the last step required to bring the convention into force between those Governments. In addition, Iceland, which had not signed the convention, has given to the Department notification of its adherence to the terms of the convention, and Panama has informed the Department of its intention to apply the convention provisionally pending definitive approval in accordance with its constitutional requirements. These notifications became effective on November 10, 1948, the day on which the convention entered into force.

Advice and consent to the ratification of the convention on behalf of the United States was given by the Senate on July 2, 1947.

The principal objective of the convention is to provide long-range regulation for the whale fisheries in order to secure proper and effective conservation of whale stocks, to prevent further depletion of certain species of whales which have for some time been subject to overfishing, and to promote the orderly development of the whale fishery with due regard to all pertinent conservation, economic, and nutritional considerations. In order to carry out its purposes and objectives, the convention provides for the establishment of an International Whaling Commission composed of one member from each contracting government. The Commission is empowered to undertake study and investigation of the present and future problems of the whale fishery and, within strictly defined limits, to amend the schedule which is annexed to the convention and which contains specific regulations upon such matters as protected species, open and closed seasons, open and closed waters, and size limits. It is anticipated that the first meeting of the Commission will be held at London in the near future.

Whaling operations during the forthcoming Antarctic season, scheduled to open on December 15, 1948, will be governed by the provisions of the schedule as they now stand, since any new regulations which may be adopted by the Commission may not become effective prior to July 1, 1949.

Discussions With Ireland on Double Taxation

The Department of State announced November 23 that discussions will be opened at an early date between American and Irish technical experts looking to the conclusion of treaties between the two Governments for the avoidance of double taxation and for administrative cooperation in prevention of tax evasion with respect to income taxes and to taxes on estates of deceased persons.

If the discussions are successful and a basis for agreement is found, they will result in the preparation of draft treaties, which will be submitted by the negotiators to their respective Governments for consideration with a view to signing.

In preparation for the discussions, the American Delegation will welcome conferences with interested parties or statements and suggestions from them concerning problems in tax relations with Ireland. Communications in this connection should be addressed to Eldon P. King, Special Deputy Commissioner of Internal Revenue, Bureau of Internal Revenue, Washington 25, D. C.

THE FOREIGN SERVICE

U.S. and Ceylon Exchange Diplomatic Representatives

Ceylon Ambassador Presents Credentials¹

[Released to the press November 24]

The presentation of credentials to President Truman on November 24 by George C. S. Corea, first Ambassador of Ceylon to the United States, gives full effect to the agreement to exchange diplomatic representatives entered into by the United States and Ceylon shortly after the latter gained fully self-governing status early this year. The first American Ambassador to Ceylon, Felix Cole, presented his letters of credence to Sir Henry Monck-Mason Moore, the Governor General of Ceylon, on August 3 this year. It is a source of satisfaction to this country to have thus inaugurated the closer relationship which accompanies this exchange of ambassadors.

Ambassador Corea has had a wide and extended career in law, politics, and international affairs. He has held cabinet posts in Ceylon and was Ceylon's High Commissioner to the United Kingdom from 1946 until his present appointment to the United States.

¹ For texts of the Ambassador's remarks and the President's reply, see Department of State press release 944 of Nov. 24, 1948.

U. K. Draft Resolution—Continued from page 689

line; and instructs the Conciliation Commission to report immediately to the Security Council for appropriate action by that organ any attempt by any party to impede such access;

9. *Recommends* to the Security Council that after the frontiers have been established in accordance with this resolution the Security Council considers, in conformity with the Charter, any attempt to alter these frontiers by force as a threat to the peace, breach of the peace, or act of aggression;

10. *Endorses* the principle stated in Part I, section V, paragraph 7 of the Mediator's report and *resolves* that the Arab refugees should be permitted to return to their homes at the earliest possible date and that adequate compensation should be paid for the property of those choosing not to return and for property which has been lost as a result of pillage, confiscation or of destruction; and *instructs* the Conciliation Commission to facilitate the repatriation, resettlement, and economic and social rehabilitation of the Arab refugees and the payment of compensation, and to enter into contact with the Director of United Nations Relief for Palestine Refugees;

11. *Authorizes* the Conciliation Commission to appoint such subsidiary bodies and to employ such technical experts, acting under its authority, as it may find necessary to the effective discharge of its functions and responsibilities under this resolution;

12. *Instructs* the Conciliation Commission to render progress reports periodically to the Secretary-General for transmission to the Security Council and to Members of the United Nations;

13. *Calls upon* all Governments and authorities concerned to co-operate with the Conciliation Commission and to take all possible steps to assist in the implementation of this resolution;

14. *Requests* the Secretary-General to provide the necessary staff and facilities and to make appropriate arrangements to provide the necessary funds required in carrying out the terms of this resolution.

Consulate at Suva To Be Closed

[Released to the press November 26]

The United States Consulate at Suva, in the Fiji Islands, is to be closed December 31, 1948, according to an announcement by the Foreign Service.

The closing has been ordered primarily for administrative reasons, as the amount of business done there on behalf of Americans in recent times does not justify the Consulate's continuation during a period of strict economy. The work of the office will henceforth be performed by periodically sending to visit Suva a Foreign Service officer familiar with conditions in the South Pacific Islands.

Freedom of the Road—Continued from page 702

(a) The road services of countries and occupation zones granting such facilities shall enjoy equal privileges in the beneficiary countries;

(b) The carriers shall respect existing laws and regulations of a technical or administrative character now in force.

By the end of May 1948, the Governments of Luxembourg and Norway had adhered to the agreements for international passenger transport by road and international tourist traffic by road.

At the fourth session in May, 1948, the invitation was renewed for other participating governments

to accede to the agreements on lifting of restrictions on freedom of the road. As a further step toward the desired objective, the governments were in the process of providing information on their laws and regulations and agreements in force so that the Committee would be able to make a study of the difficulties with which international road transport is confronted and thereby facilitate a better approach to the problem.

The fifth session convened October 5, 1948, at Geneva, Adherences to a one-year extension, commencing January 1, 1949, on freedom of road agreements to which they are now signatories, were made by the Governments of Austria, Belgium, Czechoslovakia, Denmark, France, Italy, Luxembourg, the Netherlands, Norway, Sweden, Switzerland, the United Kingdom, France, and the three zones of Western Germany.

This session recommended that those governments not yet adhering to the agreement on freedom of transport of goods other than in transit should reconsider their position in order that they might be able to take favorable action before the sixth session, in March 1949. In regard to the international tourist-traffic agreement the Representative of Italy reported that a favorable decision from his Government would be received within a short time. Other accomplishments of the Working Party toward the ultimate goal of freedom of the road can be evidenced by approval of reciprocal annulment of customs duties on gasoline carried by commercial and tourist vehicles throughout Europe and the agreement on the part of Sweden to liberalize restrictive national laws covering the movement of commercial vehicles.

The Ruhr—Continued from page 703

ures which may need to be taken to insure security against possible future German aggression. I stated to Dr. Schuman that this Government was ready now to welcome French participation in the control groups established over coal and steel without waiting for the final fusion arrangements. But the principal consideration is that the final determination of the security problem of Europe in relation to the future of the Ruhr must await the terms of the peace treaty which will be conclusive in the matter.

I might add one more thought to this matter, which is that it must be very hard for our public to reach a full understanding of this complicated problem not only because it is complicated but also because in the political strife now occurring in France many things are said—or claimed—to have a definite political purpose quite apart from the future of the Ruhr. The present Government has this additional difficulty to deal with.

¹ For texts of the Ambassador's remarks and the President's reply, see Department of State press release 938 of Nov. 23, 1948.

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Bulletin

Vol. XIX, No. 493
December 12, 1948

**PROPOSAL TO ESTABLISH COMMITTEE TO STUDY
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December 12, 1948

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Proposal To Establish Committee To Study Berlin Currency Problem

TEXT OF PROPOSAL OF PRESIDENT OF THE SECURITY COUNCIL

[Released to the press December 2]

The President of the Security Council, in the exercise of his powers, has decided:

(1) To invite the Governments of Belgium, Canada, China, Colombia, and Syria, each to nominate a financial or economic expert, who, together with an expert nominated by the Government of Argentina, shall meet in Paris, and whose task shall be to consider and make recommendation to the President of the Security Council upon the most equitable conditions, taking into account the directive of August 30, 1948, as well as information concerning events subsequent thereto, for the agreement among the occupying powers relating to introduction, circulation and continued use of a single currency for Berlin under adequate four-power supervision and import and export regulations in connection with outside trade of Berlin.

(2) To invite the Secretary General to nominate a financial or economic expert to work with the committee mentioned in paragraph one above; and to cooperate fully with the committee and supply in addition all information and all the facilities and staff that the said committee may require.

(3) The committee is fully empowered to consult with the economic or financial experts representing each of the four occupying powers in Berlin, and also, if they deem it convenient, with other economic or financial experts.

(4) This study must be definitely finished within thirty days as from the date of this resolution. How must the experts carry out its task?

The Commission will fix its plan of work and immediately after will get in contact with the

representatives, specialists in economy assigned by the governments of the United States, Great Britain, France and the U.S.S.R. in order to end their task within the period established in paragraph four of the resolution.

Which items will the technicians cover in their studies?

The technicians appointed, acting jointly in all circumstances, will try to arrange with the parties in conflict the adequate terms to enforce the directives of August 30, 1948, in the matter related with the introduction in Berlin of the Soviet mark as well as the control on emission, supply and circulation of the sole currency, the adequate rules to regulate banking and credit facilities and the exterior trade of Berlin, and the consideration of other subsequent facts which could bring difficulty to the implementation of the draft agreements or recommendations.

How will the recommendations submitted to the President of the Security Council be adopted?

The recommendations submitted to the President of the Security Council will be adopted by the technicians representing the six countries appearing in paragraph one of the previous resolution, which should meet with the conformity of the technicians of the United States, Great Britain, France and the U.S.S.R.

In case of not reaching agreement among the parties the commission of technicians will submit to the President of the Security Council a detailed report of the performances carried out, the studies made, the propositions submitted, and the causes that on every one of the items prevented from reaching the corresponding agreements.

TEXT OF THREE-POWER REPLY

[Released to the press December 2]

The following communication was handed on behalf of the Governments of the United States of America, France, and the United Kingdom on November 30 to Juan Atilio Bramuglia, President of the Security Council

The Representatives of the United States of America, France and the United Kingdom wel-

December 12, 1948

come the proposal of the President of the Security Council to establish a Committee of Neutral Experts to study the Berlin currency and trade problems.

In welcoming the proposal to establish the Committee of Neutral Experts, the three representatives desire to make it clear that they must reserve entirely the position of their governments as re-

gards any resolution which may subsequently be submitted to the Security Council after the Committee have reported. They would require to consider any such resolution in the light of the Committee's report and of the general circumstances prevailing at that time.

The three western powers accepted the proposed Security Council resolution of October 25 and have reiterated their willingness to abide by its principles; the Soviet Union has rejected it. The Soviet Union during the period since October 25 has consistently and continuously resorted to further measures directed against the city administration which have brought about an increasing split in the city.

TRIPARTITE COMMUNIQUÉ TO COMMITTEE OF EXPERTS¹

In the reply recently presented by the three Western powers to the President of the Security Council's questions on the Berlin currency problem, it was pointed out that it would inevitably be difficult in practice to exercise four-power control of currency in a city in which the previous unified administration under four-power control was not fully functioning at present and was indeed being rapidly diminished. In disregard of the expressed wish of the President of the Security Council that any steps should be avoided, which would lead to a complication of the Berlin crisis, developments instigated by the Soviet command in Germany have now still further detracted from the unified character of the city administration.

On the afternoon of 30 November the Soviet authorities countenanced, and indeed encouraged a series of events in their sector, which have completed the exclusion of the legal city administration from its proper seat in the Soviet sector and from the exercise of its legal authorities in the areas of Berlin which are under Soviet occupation. A carefully stage-managed meeting of Communists and Communist front organizations (including a handful of former members from the other legal Berlin political parties) brought into being a body for which no legal basis exists, but which claims to be the provisional government for the entire City of Berlin.

Although this illegal body will be excluded from usurping any functions of the legal city government as far as the Western sectors of Berlin are concerned, its existence in the Soviet sector will

¹ Delivered on Dec. 5, 1948, by the Governments of the United States, the United Kingdom, and France to the Security Council's Committee of Experts on the Berlin currency problem. Released to the press in Paris on Dec. 6, 1948, and in Washington on Dec. 7, 1948. Printed from telegraphic text.

The three western powers cannot agree that they should be bound to submit to all Soviet measures which add to and intensify the Soviet blockade of the city which interfere with the city administration, while the Soviet remains wholly uncommitted to any restraint. The three governments therefore repeat the reservation of their right, declared to the Security Council when the Berlin question was submitted to that body "to take such measures as may be necessary to maintain in these circumstances their position in Berlin" pending the outcome of the further efforts of the President of the Security Council with which efforts France, the United Kingdom and the United States have cooperated and will continue to cooperate.

end all possibility of the legal, unified administration functioning on a city-wide basis. This is a development that the Western powers have constantly striven to avoid. It is obvious that the *de facto* political division of the city makes the establishment of a single currency extremely difficult.

The representatives of the Western powers have assured the President of the Security Council that they are anxious to provide all possible assistance in the Council's examination of the Berlin currency problem. They consider that the experts who are attempting to work out a plan for the solution of this problem must take into account the existing position in Berlin and will find it useful to be given information on the underlying political background of the existing division of the city administration. A chronology of the events which have taken place since June, 1948, leading to the present situation is therefore attached.

[This chronology lists incidents in Berlin since June 23, the details of which have been published.]

The following short historical summary will, it is hoped, enable it to be more readily understood.

The historical basis and the international agreements setting forth the rights, duties and obligations of the four occupying powers in Berlin have been fully stated in the presentation of the Berlin case to the Security Council and in the White Papers on the Berlin problem published by the United States and the United Kingdom Governments.

In order to establish a democratically elected government to succeed the administration, which had been appointed by the Soviet authorities at the time of their sole occupancy of the city, a temporary constitution under which the city government was to be returned to elected German officials was approved by the Allied Coordinating Committee on 2 August 1946 and issued by the

Kommandatura on 13 August 1946 to become effective in October 1946.

The four occupying powers agreed that elections for the City Assembly under the approved temporary constitution should be held in early October, 1946. In these elections the Socialist Unity party (the Soviet-sponsored Communist party) was decisively defeated, receiving only 19.5 per cent of the votes.

The Magistrat (City Council) appointed by the newly elected Assembly was charged, under the general control of the Allied Kommandatura, with the duty of governing the city, and for this purpose fourteen executive departments were formed. German City Councillors, drawn from all the parties represented in the City Assembly, but with a majority from the Social Democratic party, were appointed as heads of these departments.

The relationship of the departments of the Magistrat and of the Magistrat itself to the Allied Kommandatura was complicated. Since unanimous approval of the Allied Kommandatura was required for any major action taken by the Magistrat, the Soviet authorities by withholding their consent could and did hamper the conduct of the city's affairs.

For example, in June, 1947, they opposed the appointment by the City Assembly and the Magistrat of Herr Reuter as Mayor of Berlin. Reuter was a Social Democrat with an outstanding record as an administrator against whom no serious case was ever made by the Soviet authorities. Interference such as this had an increasingly serious effect upon the administration of the city and indeed progressively tended to split it in two.

Soviet methods were not always the same. In cases where a department head of the city government was a member of the Socialist Unity party, they took the form of encouraging him to disregard the wishes and instructions of the Magistrat, whose servant he was, and to issue orders nominally applicable to the whole city which were acceptable neither to the Magistrat nor to the Western powers but only to the Soviet authorities. In self-defense, in such cases, either the Magistrat had to suspend the head of the department for defying their orders or the Western powers had to take measures limiting the authority of the department in the Western sectors.

A typical example of such Soviet tactics is the case of Berlin's former Police President Paul Markgraf, a member of the Socialist Unity party who consistently pursued a policy contrary to the wishes of the Magistrat. The Magistrat therefore sought to dismiss him in March, 1948, subject to the approval of the Kommandatura. This was never obtained because on the very day on which this matter was to be discussed the Soviet element refused to participate any longer in its activities. The Magistrat then took the only course open to

it under the circumstances and suspended Markgraf, an act not requiring Kommandatura approval, and appointed in his stead as acting Police President, Dr. Stumm. This appointment was subsequently confirmed by the three Western commandants. The Soviet commandant in Berlin refused to recognize the suspension and demanded Dr. Stumm's dismissal.

Markgraf continued to occupy the police offices in the Soviet sector and Dr. Stumm was forced to establish his headquarters in the Western sectors of Berlin. Hence, since July, 1948, there have been two police forces operating in Berlin, the one in the Soviet sector having no legal basis whatever and able to operate there only because of the support of the Soviet authorities.

In other cases where the head of the department concerned was a member of one of the non-Communist parties, intervention by the Soviet authorities was even more direct. In such cases, the Soviet military administration, assuming a power which it did not have, took unilateral action and either dismissed the official concerned (an illegal action whose practical effect was to remove the Soviet sector from his jurisdiction) or set up a rival office within his department whose authority was exclusively recognized in the Soviet sector. In addition, the Soviet authorities in some cases went so far as to arrest non-Communist German officials.

For example, in August, 1948, the Soviet Military Administration unilaterally ordered the dismissal of the director of the Central Coal Organization of the Magistrat's Department of Economy. The Magistrat refused to recognize this Soviet order, pointing out that such orders were only valid if approved and duly transmitted by the four-power Kommandatura. The Soviet Military Administration thereupon promptly arrested the director, whose office was located in the Soviet sector, and appointed its own designee as his successor.

Earlier, on July 26, 1948, the Magistrat had been ordered by the Soviet authorities to establish a separate section in the Central Food Office to carry out the Soviet offer of food rations to all inhabitants of Berlin provided that they registered with shops in the Soviet sector. The following day the Soviet authorities informed the personnel of the Central Food Office that they had one hour in which to decide whether to work with them on the Soviet program. The result was a division in the food office in which Soviet sector food distribution was controlled by the Soviet Military Administration while the Magistrat's Central Food Office continued to have jurisdiction over food distribution in the Western sectors.

The Soviet authorities also introduced other measures dividing the Soviet sector from the Western sectors in connection with the blockade of Berlin; and the City Assembly was obliged long before

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the events of 30 November to move its headquarters to the Western sectors because of the Soviet failure to provide protection against mob demonstrations organized by the Socialist Unity party. Many of the departments of the Magistrat were likewise compelled to move to the Western sectors.

The above are examples of Soviet actions extended over a period of many months to bring about a piecemeal (and finally a total) division of the city by constant interference in the normal processes of the unified German city administration. The Western powers, on the other hand, have constantly maintained a policy of non-interference with the legitimate and quadripartite authorized functioning of the city government. It has been their conviction that interference is unfortunate because (a) it destroys the unity upon which the constitutional administration of the city of Berlin depends, and (b) believing as they do in the basic importance of the role of law in democratic life, they cannot countenance the systematic and arbitrary actions of the Soviet Military Administration to set aside laws adopted by the people and approved by quadripartite agreement.

A case in point is the city elections which must take place during 1948 as provided by the temporary constitution approved by all four occupying powers under the terms of which the city administration has been operating since 1946. Although the Soviet authorities professed agreement

as to the desirability of free democratic election throughout Berlin, the Soviet commandant stipulated conditions precedent to the holding of an election which were known to be unacceptable to the city assembly.

The purpose of these conditions was clearly revealed when, following their rejection by the City Assembly, the Soviet authorities forbade the holding of the elections in the Soviet sector. The Western Allies, on the contrary, regard the elections as a purely German matter and as such they will take place in the Western sectors on December 5, the date arranged by the proper German authorities.

The Soviet authorities have refused to recognize the validity of the elections on December 5 and instead have proceeded since November 30 as previously described to the establishment in the Soviet sector of an unconstitutional body with no claim whatever to represent the people of the city of Berlin or even of the Soviet sector. These developments pose new and grave problems for the solution of Berlin's currency difficulties.

These new problems have arisen because of interference on the part of Soviet authorities with the normal workings of the Berlin constitution; they could even now be set aside if the Soviet authorities were to disown the unconstitutional body created in the Soviet sector on November 30, 1948, and in conformity with the constitution permit elections to be held on a city-wide basis.

Resolutions on the Special Committee on the Balkans¹

Conventions and Refugees

B. The General Assembly

Recommends that Greece, on the one hand, and Bulgaria and Albania, on the other, establish diplomatic relations with each other, the absence of which is harmful to the relations between these countries;

Recommends the Governments of Greece, Albania, Bulgaria and Yugoslavia to renew the previously operative conventions for the settlement of frontier questions or to conclude new ones, and also to settle the question of refugees in the spirit of mutual understanding and the establishment of good neighbour relations;

Furthermore recommends the Governments of Greece, Albania, Bulgaria and Yugoslavia to inform the Secretary-General of the United Nations at the end of six months, for communication to

¹ Contained in U.N. doc. A/728, Nov. 18, 1948, and A/728/Corr.1, Nov. 19, 1948. Parts B and C of the resolution were adopted by the General Assembly on Nov. 27, 1948. For the text of Part A, see the BULLETIN of Dec. 5, 1948, p. 697, and Nov. 21, 1948, p. 635.

Member States of the United Nations, of the fulfilment of the above-mentioned recommendations.

Greek Children

C. The General Assembly

Recommends the return to Greece of Greek children at present away from their homes when their father or mother or, in his or her absence, their closest relative, express a wish to that effect;

Invites all the Members of the United Nations and other States on whose territory these children are to be found to take the necessary measures for implementation of the present recommendation;

Instructs the Secretary-General to request the International Committee of the Red Cross and the League of Red Cross and Red Crescent Societies to organize and ensure liaison with the national Red Cross organizations of the States concerned with a view to empowering the national Red Cross organizations to adopt measures in the respective countries for implementing the present recommendation.

Discussion of Israeli Application for Membership

STATEMENT BY PHILIP C. JESSUP¹

Deputy U.S. Representative in the Security Council

Mr. President: I believe that it is quite appropriate and useful that you should have called the Council's attention to the provision of rule 59 which you have just read. This is a statement of the rule which the Security Council follows in connection with matters involving applications for membership in the United Nations. I should like to comment also, Mr. President, upon the provisions of rule 60. It is true that under rule 60, in the normal course of events, it is contemplated that applications for membership may be received at any time during the year and that the Security Council should take action upon such applications for membership sufficiently in advance of a session of the General Assembly to enable its recommendation to be considered by members of that body before they meet. However, in the last paragraph of rule 60, namely, in the fifth paragraph of rule 60, we read that in special circumstances the Security Council may decide to make a recommendation to the General Assembly concerning an application for membership subsequent to the expiration of the time limit set forth in the preceding paragraph. In other words, that they may deal with applications for membership in the Council in special circumstances.

It seems to me, Mr. President, that in connection with the application for membership of the Provisional Government of Israel the Security Council is confronted with "special circumstances" and it is for that reason that I wish to speak upon this subject even in advance of the normal reference of this matter to the committee of the Council in accordance with rule 59 which you have read.

It is well known, Mr. President, that the United States fully supports and will vote affirmatively on the application of the state of Israel for membership in the United Nations. It is our hope that the Security Council will shortly approve this application so that the Provisional Government of Israel can attain favorable action by the General Assembly and may be admitted as the 59th Member of the United Nations before the end of the Assembly's present session.

We are all aware, Mr. President, that even while we are meeting here in the Security Council, the First Committee of the General Assembly is also devoting itself to the question of the future situation of Palestine and that their deliberations are closely connected with our consideration here of

Israel's application for membership. The attitude on the part of my Government in full support of the admission of the state of Israel in the United Nations is certainly not a matter which will cause any surprise to any member of this Council. Over a year ago the United States gave its support to the principles of the majority plan proposed by the United Nations Special Committee on Palestine. That plan envisaged the creation of both a Jewish state and an Arab state in Palestine. We gave our support to the resolution of November 29, 1947, by which the General Assembly recommended a plan for the future government of Palestine involving as one of its elements the establishment of a Jewish state in part of Palestine.

Following the proclamation of the independence of Israel on May 14, 1948, the United States extended immediate and full recognition to the state of Israel and recognized the Provisional Government of Israel as a *de facto* authority of the new state. On frequent occasions since that date American officials, including the President and the Secretary of State, have affirmed that the United States looks forward to the admission of the state of Israel to the United Nations. In the remarks which I had the honor to make on behalf of my Delegation in the First Committee of the General Assembly on November 19th, I invited the attention of the Committee to the statement which the Foreign Minister of the Provisional Government of Israel had made asking for the admission of Israel to the United Nations, and I then said on behalf of my Delegation:

"The United States looks forward to the admission of the state of Israel to the United Nations and to its active participation in our work. To this end we hope that the Security Council will be able, in the near future, to recommend Israel as a state duly qualified for membership."

The Charter of the United Nations in article 4 specifies that membership in the United Nations is open to—and I quote the words of the Charter—"peace-loving states which accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations". This formulation

¹ Made before the Security Council in Paris on Dec. 2, 1948, and released to the press on the same date.

comprises the requirements laid down by the Charter for admission of new members to the United Nations. Reduced to their essence these requirements are as follows: The political entity in question must be a state; it must be a "peace-loving" state; it must accept the obligations contained in the Charter; and it must be able and willing, in the judgment of the United Nations, to carry out these obligations. My Government considers that the state of Israel meets these Charter requirements.

The first question which may be raised in analyzing this fourth article of the Charter and its application to the membership of the state of Israel is the question whether Israel is a "state", as that term is used in article 4 of the Charter. It is common knowledge, Mr. President, that while there are traditional definitions of a state in international law, the term has been used in many different ways. We are all aware that under the traditional definition of a state in international law all of the great writers have pointed to four qualifications:

First: There must be a people.

Second: There must be a territory.

Third: There must be a government.

Fourth: There must be capacity to enter into relations with other states of the world.

So far as the question of capacity to enter into relations with other states of the world is concerned, learned academic arguments can be and have been made to the effect that we already have among the Members of the United Nations some political entities which do not possess full sovereign freedom to form their own international policy which traditionally has been considered characteristic of a state. We know, however, that neither at San Francisco nor subsequently has the United Nations considered that complete freedom to frame and manage one's own foreign policy was an essential requisite of United Nations' membership. I dwell upon this point, Mr. President, not because anyone has ever questioned that in this respect Israel is free and unhampered; in this respect I believe that there would be unanimity that Israel exercises complete independence of judgment and of will in forming and in executing its foreign policy. The reason I mention the qualifications of this aspect of the traditional definition of a state is to underline the point that the term "state" as used and applied in article 4 of the Charter of the United Nations may not be wholly identical with the term "state" as it is used and defined in classic textbooks of international law. When we look at the other classic attributes of a state we find insistence that it must also have a government. No one doubts that Israel has a government. I think the world has been particularly impressed with the way in which the people of Israel have organized their government

and have established a firm system of administration and of lawmaking under the most difficult conditions. Although, pending their scheduled elections, they still modestly and appropriately call themselves the "Government of Israel", they have a legislative body which makes laws; they have a judiciary which interprets and applies the laws; and they have an executive which carries out the laws and which has at its disposal a considerable force which is responsive to its will.

According to the same classical definition, we are told that a state must have a people and territory. Nobody questions the fact that the state of Israel has a people. It is an extremely homogeneous people: a people full of loyalty and of enthusiastic devotion to the state of Israel.

The argument seems chiefly to arise in connection with territory. One does not find in the general classic treatment of this subject any insistence that the territory of a state must be exactly fixed by definite frontiers. We all know that historically many states have begun their existence with their frontiers unsettled. Let me take as one example my own country—the United States. Like the state of Israel it had at its origin certain territory along the seacoast. It had various indeterminate claims to an extended territory westward but in the case of the United States, that land had not even been explored and no one knew just where the American claims ended and where French and British and Spanish claims began. To the north the exact delimitation of the frontier with the territories of Great Britain was not settled until many years later. And yet I maintain, Mr. President, that in the light of history and in the light of a practice and acceptance by other states, the existence of the United States of America was not in question before its final boundaries were determined.

Although the formulas in the classic treatises vary somewhat one from the other, both reason and history demonstrate that the concept of territory does not necessarily include precise delimitation of the boundaries of that territory. The reason for the rule that one of the necessary attributes of a state is that it shall possess territory, is that one can not contemplate a state as a kind of disembodied spirit. Historically the concept is one of insisting that there must be some portion of the earth's surface which its people inhabit and over which its government exercises authority. No one can deny that the state of Israel responds to this requirement.

Similarly, Mr. President, it is the view of my Government that Israel is a peace-loving nation. The Jewish community in Palestine which created the state of Israel expressed its willingness and readiness a year ago to accept the General Assembly resolution of November 29, 1947, and to cooperate loyally in carrying it out. Members of the Council in reflecting upon the efforts of this

body over the past year to maintain peace in Palestine will recall the degree to which the Provisional Government of Israel has extended its cooperation to the implementation of proposals made by the Security Council or by the mediator. For instance, when the first truce in Palestine was about to expire on July 9, 1948, the Provisional Government of Israel indicated its willingness to observe the truce under substantially the same conditions as those governing the truce then in existence. When this proposal, which had been made by the mediator, was not found acceptable by all the governments and authorities concerned, the Provisional Government of Israel indicated its willingness to accept a further proposal of the mediator for an unconditional cease-fire in Palestine for a period of ten days. Since that date, representatives of the Provisional Government of Israel have repeatedly made clear in this form, and elsewhere, their willingness to seek a settlement, through the processes of negotiation and with appropriate assistance of United Nations mediatory or conciliatory bodies, of all outstanding problems between Israel and other governments and authorities.

As to the third of the Charter requirements, the state of Israel in the terms of its application for membership has indicated its acceptance of the obligations contained in the Charter. There is no reason for the Security Council to question the solemn assurance of Israel that it does accept the obligations of the Charter. One of these obligations is stated in article 25 under its terms, and quote them: "The Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter." If Israel is admitted to the United Nations, this Charter obligation will be binding upon Israel just as it is binding upon the United States and all other Members of the United Nations.

Article 4 of the Charter also requires that a state which is admitted to membership in the United Nations be able and willing, in the judgment of the United Nations, to carry out the obligations contained in the present Charter. It is the judgment of the United States, as one of the Members of the United Nations, that the state of Israel is able and willing to carry out the obligations imposed by the Charter. The willingness of Israel to carry out these obligations is made clear in its letter of application for membership. My Government is also satisfied as regards the ability of the state of Israel to carry out the obligations of the Charter. The state of Israel is a functioning political entity with firmly established governmental institutions exercising effective internal administration and able to conduct the foreign relations of the state. It is clear to me that, judged by whatever standards of political and social organization, Israel is able to carry out the obligations of the Charter of the United Nations

and to assist the United Nations in achieving the high purposes set forth in the Charter.

Mr. President, as a result of this inspection of the requirements for membership in the United Nations as set out in article 4 of the Charter and of their application to the specific situation of Israel, my Delegation reaches the definite conclusion that the state of Israel is qualified for membership and that its application should be endorsed by the Security Council.

There is one other point, Mr. President, to which I should like to refer since it is a matter which arises in consideration and in debate on questions involving applications for membership. The matter to which I refer is the relationship between action by the Security Council or by the United Nations upon application for membership and the problem of recognition of a Government or State.

We are aware, Mr. President, that there are Members of the United Nations who do not maintain diplomatic relations with other Members of the United Nations. Full membership in the United Nations does not necessarily involve bilateral diplomatic relationships among those Members.

I think, Mr. President, that confusion has arisen on this subject of the relationship of the recognition of governments and the admission of states to membership in the United Nations.

I would like to remind members of the Council that the same problem has come to our attention that has caused debate in this body in regard to the appearance of various political entities at this table in matters where their affairs have been discussed. The case of Indonesia comes to mind. We have had similar debates in regard to the seating of the representatives of the state of Israel at this table, and I believe, Mr. President, that the Security Council has fully recognized in that connection through a series of discussions, debates, and practices that the admission of a representative to this table and participation in the discussions does not involve the question of recognition of governments.

Similarly, Mr. President, it is my opinion that just as the existence of diplomatic relations among Members of the United Nations on a bilateral basis is not a feature inherent in full membership in the organization, so the question of the extension of bilateral diplomatic recognition or relationships between a Member of the United Nations and a new Member of the United Nations is not a question which lies at the root of action upon application for membership. Therefore, Mr. President, it seems to me that that issue is not one which should confuse our consideration of the applicability of article 4 of the Charter to any applicant for membership.

Now, Mr. President, I have discussed the question of the application of Israel for membership

in the United Nations in terms of legal analysis of the provisions of the Charter which are relevant to this particular suggestion. But I believe, Mr. President, that we all realize, all of us, members of the Council and all Members of the United Nations, that we are dealing here with something more than questions of legal concepts and of provisions in a document, although we desire and will be guided by the terms of that instrument.

We are dealing here with a desire of a people who have laboriously constructed a community, an authority, and finally a government operating in an independent state to see the state which they have thus arduously built take its place among the Members of the United Nations.

The United States has watched with sympathy and interest the birth of the state of Israel and the development of its political and social institutions. We are looking toward the first general elections to be held by the state of Israel early in the new year. We shall await with anticipation the full development of the state of Israel, of political institutions and practices in the best of the democratic tradition.

My Government, Mr. President, supports the application of the Government of Israel for membership in the United Nations not merely because we consider that Israel fulfils the technical requirements of the Charter in this regard, but because we believe that the state of Israel, its government, and its people will contribute substantially to the work and development of the United Nations organization.

Finally, Mr. President, as I began with a ref-

erence to the last paragraph of rule 60 of the rules of procedure of the Council, I wish to close with a reference to the procedural aspects of this question. There is no use, Mr. President, in any of us avoiding the clear recognition of the fact that we are approaching the closing days of the session of the General Assembly. I have already mentioned the fact that the First Committee is in the midst of its consideration of the future situation of Palestine. Surely, Mr. President, it is of great importance, it is of great value in reaching that final adjustment, a peaceful settlement of the Palestinian question, that Israel should take its place among the Members of the United Nations equally bound by the Charter, equally responsible to the obligations of the Charter.

It is my opinion therefore, Mr. President, and the opinion of my Government, that these are special circumstances within the meaning of the last paragraph of rule 60 and that the Security Council should so decide and I should hope, Mr. President, that as this matter is automatically referred to the Committee under rule 60 of our rules of procedure that you as President would indicate to that Committee on Admissions the urgency of this problem and that that Committee will report back to this body certainly not later than Monday of next week their conclusions upon this question, in order that the Security Council may take its action, and I should hope a favorable action, which would enable the General Assembly in turn to approve the application of Israel for membership in this organization.

Thank you, Mr. President.

Resolution Establishing Conciliation Commission for Palestine¹

The General Assembly,

HAVING ADOPTED on 29 November 1947 resolution 181 (II) regarding the future government of Palestine and providing a plan for partition with economic union;

HAVING ADOPTED on 14 May 1948 resolution 186 (S-2) empowering a U.N. Mediator in Palestine to exercise certain functions including the use of his good offices to promote a peaceful adjustment of the future situation of Palestine;

HAVING RECEIVED and examined the progress report of the U. N. Mediator on Palestine (A/648) submitted by the late Count Folke Bernadotte;

HAVING TAKEN NOTE of the resolutions of the Security Council concerning the truce in Palestine and of the resolution of 16 November 1948 con-

cerning the establishment of an armistice by means of negotiations conducted either directly or through the Acting Mediator on Palestine;

1. *Expresses* its deep appreciation of the progress achieved through the good offices of the late U.N. Mediator in promoting a peaceful adjustment of the future situation of Palestine for which cause he sacrificed his life; and

Extends its thanks to the Acting Mediator and his staff for their continued efforts and devotion to duty in Palestine;

2. *Establishes* a Conciliation Commission consisting of (three states members of the United Nations) which shall have the following functions:

(A) To assume, insofar as it considers necessary in existing circumstances, the functions given to the U.N. Mediator on Palestine by the resolution of the General Assembly of 14 May 1948;

(B) To carry out the specific functions and di-

¹ Adopted by Committee I on Dec. 4, 1948, by a vote of 25 to 21 with 3 absentees. Printed from telegraphic text.

rectives given to it by this resolution and such additional functions and directives as may be given to it by the General Assembly or by the Security Council;

(C) To promote good relations between the state of Israel, the Arabs of Palestine and the neighbouring Arab states;

(D) To undertake, upon the request of the Security Council, any of the functions now assigned to the U.N. Mediator on Palestine or to the U.N. Truce Commission by resolutions of the Security Council; upon such request to the Conciliation Commission by the Security Council with respect to all the remaining functions of the U.N. Mediator on Palestine under Security Council resolutions, the office of the Mediator shall be terminated;

3. *Decides* that the three members of the Conciliation Commission shall be chosen by a committee of the Assembly consisting of the representatives of China, France, Union of Soviet Socialist Republics, United Kingdom and United States of America;

4. *Requests* the Commission to begin its functions at once, with a view to the establishment of contact between the parties themselves and the Commission at the earliest possible date;

5. *Calls* upon the governments and authorities concerned to extend the scope of the negotiations provided for in the Security Council resolution of 16 November 1948 and to seek agreement by negotiations conducted either through the Conciliation Commission or directly with a view to a final settlement of all questions outstanding between them;

6. *Instructs* the Conciliation Commission to take steps to assist the governments and authorities concerned to achieve a final settlement of all questions outstanding between them;

7. *Resolves* that the holy places, religious buildings and sites in Palestine should be protected and free access to them assured, in accordance with existing rights and historical practice; that arrangements to this end should be under effective U.N. supervision, that the U.N. Conciliation Commission in presenting to the fourth regular session of the General Assembly its detailed proposal for a permanent international regime for the territory of Jerusalem should include recommendations concerning the holy places in that territory; that with regard to the holy places in the rest of Palestine, the Commission should call upon the political authorities of the areas concerned to give appropriate formal guarantees as to the protection of the holy places and access to them; and that these undertakings should be presented to the General Assembly for approval;

8. *Resolves* that in view of its association with three world religions, the Jerusalem area, as defined in the General Assembly resolution of 29 November 1947, should be accorded special and

separate treatment from the rest of Palestine and should be placed under effective U.N. control;

Requests the Security Council to take further steps to ensure the demilitarization of Jerusalem at the earliest possible date;

Instructs the Conciliation Commission:

To present to the fourth regular session of the General Assembly detailed proposals for a permanent international regime for the Jerusalem area which will provide for the maximum local autonomy for distinctive groups consistent with the special international status of the Jerusalem area;

The Conciliation Commission is authorized to appoint a U.N. representative who shall cooperate with the local authorities with respect to the interim administration of the Jerusalem area;

9. *Resolves* that, pending agreement on more detailed arrangements among the governments and authorities concerned, the freest possible access to Jerusalem by road, rail or air should be accorded to all inhabitants of Palestine; and

Instructs the Conciliation Commission to report immediately to the Security Council for appropriate action by that organ any attempt by any party to impede such access;

10. *Instructs* the Conciliation Commission to seek arrangements among the governments and authorities concerned which will facilitate the economic development of the area, including arrangements for access to ports and airfields and the use of transportation and communication facilities; in this connection, the conclusions contained in part I, section VIII, paragraph 4 (E) and (F) of the progress report of the U.N. Mediator should be taken into account;

11. *Endorses* the conclusions stated in part I, section VIII, paragraph 4 (I) of the progress report of the U.N. Mediator in Palestine, and

Resolves that the refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which under principles of international law or in equity should be made good by the governments or authorities responsible; and

Instructs the Conciliation Commission to facilitate the repatriation, resettlement and economic and social rehabilitation of the refugees and the payment of compensation and to maintain close relations with the director of the U.N. relief for Palestine refugees, and through him with the appropriate organs and agencies of the U.N.;

12. *Authorizes* the Conciliation Commission to appoint such subsidiary bodies and to employ such technical experts, acting under its authority, as it may find necessary to the effective discharge of its functions and responsibilities under this resolution.

The Conciliation Commission will have its official headquarters at Jerusalem. The authorities responsible for maintaining order in Jerusalem will be responsible for taking all measures necessary to ensure the security of the Commission. The Secretary-General will provide a limited number of guards for the protection of the staff and premises of the Commission;

13. *Instructs* the Conciliation Commission to render progress reports periodically to the Sec-

retary-General for transmission to the Security Council and to members of the U.N.;

14. *Calls upon* all governments and authorities concerned to cooperate with the Conciliation Commission and to take all possible steps to assist in the implementation of this resolution;

15. *Requests* the Secretary-General to provide the necessary staff and facilities and to make appropriate arrangements to provide the necessary funds required in carrying out the terms of this resolution.

The United States in the United Nations

[December 4-12]

U.N. Recognizes Republic of Korea

The General Assembly passed on December 12 the resolution approved by the Political and Security Committee on December 8 which "declares that there has been established a lawful government (the Government of the Republic of Korea)"; this action recognizes the "South Korean Government" and also urges the continuation of the work of the Temporary Commission. The resolution further recommends the withdrawal of occupation forces from Korea as early as practicable.

The resolution follows closely the draft submitted by the United States, China, and Australia on December 6 to Committee I, but which was amended by Canada in the discussion before the General Assembly.

The United Nations Temporary Commission on Korea, established by the General Assembly in November 1947, will continue to seek means for bringing about the unification of Korea and the integration of all Korean security forces. The Commission is to proceed to Korea within 30 days of adoption of the resolution, and according to the resolution, will observe the withdrawal of the occupying forces.

The debate on Korea began in Committee I on December 6 with the question of participation of Korean representatives in committee discussions. The Soviet bloc efforts to seat representatives of the North Korean regime were rejected by 34 to 6 with 8 abstentions; on the other hand, a Chinese resolution inviting participation without vote by representatives of South Korea was approved by 39 to 6 with 1 abstention. China replied to a Czech proposal for North Korean participation on the grounds that, since elections in the north had not been supervised by the U.N. Commission, to invite North Korean representatives would have a bad psychological effect throughout Korea. The

United States supported China and recalled that the General Assembly last year decided to invite only "duly elected representatives of the Korean people".

John Foster Dulles stated the U.S. position on Korea before Committee I on December 7; he pointed out that the Republic of Korea, whose capital is at Seoul in the southern or U.S. zone, was established through free, U.N.-observed elections last May. By contrast in the northern or Soviet zone Mr. Dulles said "there has been brought into being a Communist-controlled regime that asserts pretensions to govern all Korea and that threatens to back those pretensions by force and violence". He urged adoption of the joint resolution and pointed out that the United Nations cannot consider its task completed. "Further measures are required", he said. "First of all, the United Nations ought to put the seal of legitimacy on what has been done under its auspices. The Government of the Republic of Korea needs that in order to maintain its prestige and authority at home and abroad. . . . In the second place, we believe that the United Nations should continue a commission on Korea in order to help the new Government of Korea to end the wartime military occupation of Korea. . . . In the third place, we believe that the United Nations Commission should help the Korean people to reunite and to end the economic dislocations, the fears of civil war, that now gravely disturb the life of the people. As in the case of Greece, Communist elements seek, by violence, to impose their will and there is danger that these efforts will be supported in one form or another by neighboring Communist regimes. . . . We also believe the United Nations commission may be able through good offices to help break down peacefully the barrier to friendly intercourse caused by the present division of Korea."

Genocide Convention

An international convention on genocide outlawing mass extermination of religious, racial, and national groups was adopted by the General Assembly on December 9.

President Herbert Evatt termed approval of the convention as an epoch-making event and a "significant advance in the development of international criminal law". Mr. Evatt urged that it "be signed by all states and ratified by all parliaments at the earliest date in order that basic human rights may be given the protection of international law for the sake of social progress and international peace". The convention was opened for signature on December 11.

Ernest Gross, U.S. Delegate, announced that the United States was prepared to sign the convention and expressed the hope that all member states would do likewise. The convention was adopted by a vote of 55 to 0, with only Costa Rica, El Salvador, and the Union of South Africa absent.

Of the two resolutions adopted relating to the implementation of the convention and applying to it, one urged extension of its provisions to dependent territories as soon as possible and the other asked that the International Law Commission study the desirability and possibility of establishing a Criminal Chamber of the International Court of Justice.

Human Rights

Committee III (Social, Humanitarian, and Cultural) approved on December 7 a universal declaration of human rights, two and one-half years after detailed work first began on the document. The vote was 29 to 0, with 7 abstentions. Also approved was an amended French resolution calling for wide publicity for the declaration, to include its reading in schools and publication in all languages as well as a New Zealand proposal asking the Economic and Social Council to give priority to preparation of a draft convention on human rights.

The declaration was further approved when the General Assembly voted its adoption on December 10 by a vote of 48 to 0, with 8 abstentions, with one amendment by the United Kingdom incorporated.

Assembly Asks Security Council to Reconsider Membership Applications

In a series of resolutions approved at a plenary session on December 8 the General Assembly called upon the Security Council to reconsider the applications of 12 nations for membership in the United Nations. The Assembly placed particular emphasis on the applications which have been vetoed by the U.S.S.R., after having been approved by the required majority of the Security Council's members.

The Assembly asked the Security Council to review the Soviet-vetoed requests of Austria,

Ceylon, Ireland, Finland, Italy, Portugal, and Transjordan, along with the applications of Albania, Bulgaria, Hungary, Rumania, and the Mongolian Peoples' Republic, which failed to get the necessary majority when brought before the Council.

Prior to voting, Benjamin Cohen, U.S. Delegate, told the Assembly that the United States would not veto the application of any nation which is approved by seven of the 11 members. "We cannot abdicate our own judgment", Mr. Cohen said, "but we will not, on matters of membership, put our judgment above the judgment of the world community of nations. We shall not falter in our efforts to insure the admission of every qualified state to this organization."

Mr. Cohen expressed the U.S. support of Ceylon's application but added that the United States would support the application of any nation that could fulfill the requirements of the Charter. The United States, he said, would support the requests of Bulgaria, Hungary, and Rumania when those nations could show that they are living up to their obligations under the treaties of peace. Albania, he indicated, could expect U.S. acceptance when it could show that Bulgaria and she are complying with the General Assembly resolutions calling for cessation of aid to the Greek guerrillas; the Mongolian Peoples' Republic would have to prove it is truly independent before it would receive U.S. support.

The Assembly also approved an Australian resolution asking all Security Council members to act in accordance with an advisory opinion of the International Court of Justice which said that consent to the admission of an applicant may not be dependent upon conditions other than those specified in the Charter.

Four-Power Veto Proposal

After a week of debate Committee I approved on December 4 by a vote of 33 to 6 with 4 abstentions, a resolution recommending that the General Assembly ask the Security Council to limit use of the voting privilege which the U.S.S.R. has employed to obstruct the work of that body.

The resolution proposed by the United States, the United Kingdom, France, and China, lists 35 kinds of decisions as procedural and therefore not subject to the rule of the unanimity of the permanent members. It also asks those members not to use the veto on proposals which have been approved by any seven members of the Council and recommends that the veto be used as little as possible on all other proposals. The only negative votes cast on the resolution were those of the Soviet Union and the Eastern European countries.

In completing discussion on Security Council voting procedure, the committee did not pass an Argentine proposal that a special general conference be called to amend the Charter to abolish the

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veto. The vote on this question was 12 for and 23 against. A Soviet resolution affirming that the rule of unanimity is an important condition to maintaining peace and security was defeated by 23 to 6 with 9 abstentions. Final action on this item of the agenda was the defeat of an Australian proposal limiting use of the veto to occasions when there has been a breach of the peace, aggression, or a threat to the peace, by a vote of 22 to 9 with 10 abstentions.

Aid for Underdeveloped Nations

Four proposals aimed at giving new economic and technical aid to needy nations have been adopted by the General Assembly as recommended by Committee II (Economic and Financial).

One proposal, intended to focus attention on the problem of economic life in the underdeveloped areas of the world urged the Economic and Social Council and the specialized agencies to give "further and urgent consideration to the whole problem of economic development" of handicapped countries.

Another urged the Economic and Social Council to expedite its consideration of establishing a Middle East Economic Commission similar to those already formed for Europe, Latin America, and the Far East.

A third resolution called for the provision of technical assistance to countries in need of it by such means as United Nations organized international teams of experts to advise nations on their economic development programs.

A fourth resolution requested the International Labor Organization to examine the most appropriate means of gaining admission to the world's technician training centers of apprentices and workers from countries lacking enough technicians and specialists for their adequate economic development. All the recommendations were given approval at the December 4 session of the General Assembly.

UNAC Extended Through 1949

On December 8 the General Assembly by a vote of 32 to 0 with 5 abstentions extended the United Nations Appeal for Children for another year. The resolution defined the appeal as "a world-wide voluntary appeal for non-governmental contributions to be used for the benefit of children, adolescents and expectant and nursing mothers without discriminations on account of race, religion, nationality or political belief."

In continuing the UNAC, the General Assembly specified that "proceeds of the collections in each country shall be for the benefit of the U.N. International Children's Emergency Fund." The idea for the appeal originated in a resolution approved by the Assembly in December 1946, urging the Secretary-General to explore the possibility of world-wide voluntary contributions of "one day's

pay" to aid the ICEF. Thereafter the Economic and Social Council established the UNAC to assist in raising funds. Last month, contributions had reached \$30,755,841.

Conciliation Commission for Palestine

On December 11 the General Assembly passed an amended resolution establishing a Conciliation Commission for Palestine consisting of three states. China, France, the U.S.S.R., the U.K., and the U.S. were named to submit a proposal for the membership of the commission.

Relief for Palestine Refugees

Stanton Griffis, U.S. Ambassador to Egypt, was appointed by the Secretary-General as Director of the United Nations Relief for Palestine Refugees. The appointment was made public in Paris on December 4. The refugee-aid program approved by the General Assembly, will cover the period from December 1, 1948, to August 31, 1949. It consists of \$29,500,000 for aid and \$2,500,000 for administrative expenses.

Israeli Membership

The membership committee of the Security Council referred on December 7 back to the Council with no recommendations the application of the Provisional Government of Israel for membership in the United Nations.

Spanish Made a Working Language

Spanish has been adopted as a working language by the General Assembly. Meeting in a plenary session on December 7 a proposal to make Spanish a working language along with English and French was adopted by a vote of 32 to 20 with 5 abstentions.

Agenda Items Pending

To be discussed at the next regular session of the General Assembly are: proposed conventions on freedom of information, disposition of the pre-war Italian colonies in Africa, and a resolution on the marital rights of women introduced by Chile.

Adjournment

The General Assembly adjourned its present session the night of December 11-12 and will reconvene in New York on April 1, 1949. The following is the text of the resolution on adjournment adopted:

"The General Assembly decides that the present session in Paris adjourn on 11-12 December, 1948, and that a second part of the session be held at the headquarters of the United Nations in New York to complete consideration of the items on the agenda, the resumption in New York to take place on 1 April, 1949."

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

Eighth World's Poultry Congress

BY W. D. TERMOHLEN

The Eighth World's Poultry Congress was held at Copenhagen August 20-27, 1948. The Congress, the first held since the end of World War II, resulted in the re-establishment of international cooperation, which had been so beneficial to the world's industry since the First World's Poultry Congress was held at The Hague in 1921.

Representatives of 35 countries, representing all areas of the world, met to discuss problems and the results of scientific work and practical experimentation which have occurred since the Seventh Congress, held at Cleveland, Ohio, in 1939. From the 35 countries represented, there were almost 900 persons present, nearly 90 of whom were from the United States. Twenty-one countries were represented by official delegations; these were: Australia, Austria, Belgium, Canada, Czechoslovakia, Denmark, Eire, Finland, France, Italy, the Netherlands, New Zealand, Norway, Pakistan, Poland, Spain, Switzerland, Turkey, the Union of South Africa, the United Kingdom, and the United States.

To the poultrymen of Europe the Congress was of inestimable value for the reasons so aptly expressed by Kristen Bording, Minister of Agriculture for Denmark, who said in his welcoming remarks at the opening of the Congress:

"Since the holding of the Seventh World's Poultry Congress in Cleveland, Ohio, in 1939, the poultrymen have had to work under very difficult conditions. To the European countries the great war meant not only difficult times with declining production, scarcity of feeding material, and destruction of the machinery of production, but also that each country was shut off from intercourse with other countries and with our friends outside Europe".

World's Poultry Congresses provide the setting for the triennial meetings of the World's Poultry Science Association, a world-wide organization of people engaged in the poultry industry activities. One of the principal objects of this Association is to facilitate in all possible ways the exchange of knowledge and experience among persons in all parts of the world who are contributing to the advancement of the poultry industry by teaching, experiments, research, demonstrations, organization, or any other constructive manner to promote the extension of knowledge. Professor James E. Rice,

formerly head of the Poultry Department of Cornell University, a member of the United States Official Delegation and president of the World's Poultry Science Association since 1939, in complimenting the Danish Committee and Congress officials for the excellent manner in which the Congress had been organized and operated said:

"This Congress has unquestionably brought material assistance to the poultry industry, especially of Europe, and has made possible the extension of enlightenment, better living, happiness, and the appreciation of the democratic way of life to many peoples throughout the world. This Congress will be a milestone in the history of the world's poultry industry".

The Congress was officially opened in the Town Hall August 20, by His Highness, Prince Knude, brother of His Majesty, King Frederik IX. In the afternoon the exhibit held in the Forum Building was opened by Prince Knude. The exhibit consisted of 34 educational and commercial exhibits and 1,544 live birds including chickens, turkeys, ducks, geese, and pigeons. The entire exhibit depicted the poultry industry of Denmark and its progress and development.

On August 21, the opening plenary session was held in the Broadcasting House. Five general papers or reports were presented on subjects of nutrition, incubation, breeding, disease, and marketing by representatives from Sweden, the United Kingdom, and the United States. Beginning August 23 and continuing through August 26, five sectional meetings were held daily in the Congress Building. The subject matter covered in these meetings was as follows: section 1—nutrition and physiology; section 2—genetics and incubation; section 3—organization, breed, and development of the poultry industry; section 4—marketing, public service, et cetera; and section 5—diseases and their control. The sectional meetings filled to capacity the meeting rooms, and in connection with most of the 132 papers presented there was good discussion.

The official languages of the Congress were English, Danish, and French. Most of the papers were presented in English, and well over 90 percent of the Congress members participating spoke and understood English. The complete text and résumé of all 137 general reports and sectional papers were included in the Official Report, volume I, of the Congress.

ACTIVITIES AND DEVELOPMENTS

The closing plenary session was held on August 27. In addition to the appropriate resolution of thanks, there were unanimously passed three resolutions proposing activities to be carried on by the World's Poultry Science Association through representative committees. These resolutions covered the following: study of practical uniform international standards and grades for eggs and poultry and uniformity of containers which could be useful throughout the world; study of a uniform method for reporting results of egg-laying contests to afford more intelligent and helpful use of such reports throughout the world; and third, calling to the attention of the proper authorities the need for uniformity of method in making vitamin D chick assays. The Congress was adjourned by the president of the Congress, W. A. Kock, Denmark, consultant in the Ministry of Agriculture of that country.

The chairman of the United States Delegation, W. D. Termohlen, Director, Poultry Branch, Production and Marketing Administration of the United States Department of Agriculture, was elected president of the World's Poultry Science Association for the three-year (1949-51) term. Other Americans elected as officers of the Association were: Professor James E. Rice, honorary past president; Dr. G. F. Heuser, who continues as

secretary-treasurer; and Dr. O. B. Kent, Dr. M. A. Jull, Professor E. M. Funk, Dr. H. H. Alp, J. W. Kinghorne, and Dr. H. S. Wilgus, who were elected members of the Council.

Third North American Regional Broadcasting Conference Scheduled

On November 18 the Department announced that the Third North American Regional Broadcasting Conference (NARBA) is scheduled to be convened in Canada, probably at Ottawa or Montreal on September 13, 1949. Accordingly, there is need to begin formulating the United States proposals for this Conference as soon as possible.

The results of the forthcoming North American Regional Broadcasting Conference are very closely related to the implementation of the domestic policies of the United States Government in the standard broadcasting field. Accordingly, the Department of State has requested the Federal Communications Commission, which is the arm of the Government having primary interest in this field, to assume the leadership for the preparatory work. The FCC has agreed to undertake these duties and plans to call a general meeting of the interested Government and industry people for this purpose.

International Joint Commission Hearings on Pollution of Boundary Waters

[Released to the press November 29]

In accordance with notice of hearings published by the International Joint Commission, the hearings on pollution of the Detroit River, Lake St. Clair, St. Clair River, and St. Marys River were resumed in Detroit, Michigan, on November 15, 1948. The hearings were conducted by the following representatives of the United States and Canadian Sections of the Commission:

United States Section

A. O. Stanley, Chairman
Eugene Weber, Commissioner
Jesse B. Ellis, Secretary
William R. Wallace, Counsel

Canadian Section

George Spence, Acting Chairman
Elizabeth M. Sutherland, Acting Secretary
K. J. Burbridge, Counsel

United States Section, Board of Technical Advisers

L. M. Fisher, sanitary engineer, Office of Chief of Engineering Activities, U.S. Public Health Service, Washington, D.C., Chairman
M. Le Bosquet, U.S. Public Health Service, Cincinnati, Ohio

Ralph Palange, U.S. Public Health Service, Detroit, Mich.
L. F. Oeming, Michigan Stream Control Commission, Lansing, Mich.

John M. Hepler, Michigan State Sanitary Engineer

Canadian Section, Board of Technical Advisers

George Ferguson, Consultant, Department of National Health and Welfare, Ontario Department of Health, Ottawa, Chairman

W. R. Edmonds, Department of National Health and Welfare, Ottawa

Dr. A. E. Berry, Ontario Department of Health, Toronto
A. V. DeLaPorte, Ontario Department of Health, Toronto

The hearings began with the testimony of Allen T. Carlisle, city engineer for the city of Port Huron, Michigan, from which it appeared that raw sewage from the city was being dumped into the St. Clair River. Evidence was presented that the city had issued bonds in the sum of \$1,400,000 for the construction of a sewage-disposal plant and intercepting sewers, but that on account of increased costs of labor and materials the city had not proceeded with the construction of this plant. Reference was made to court proceedings brought by the State of Michigan to require the city of Port Huron to construct these disposal facilities which are now awaiting decision by the Supreme Court of Michigan.

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Evidence was also given by representatives or officers of the following municipalities: Marysville, St. Clair, St. Clair Shores, Marine City, Algonac, New Baltimore, Pontiac, Mt. Clemens, Dearborn, Melvindale, River Rouge, Ecorse, Wyandotte, Riverview, and Trenton, Michigan.

L. A. Danse described the action taken by General Motors Corporation to prevent industrial wastes from its several plants from entering boundary waters. T. Ledyard Blakeman, executive director of the Detroit Regional Planning Commission, described its proposals for disposing of sewage and industrial wastes.

Representatives of the Lake Carriers Association of Cleveland, Ohio, presented a statement on behalf of the owners of a large percentage of ships operated on the Great Lakes respecting the disposal of sewage, garbage, and other waste products from their vessels while operating in boundary waters. Further investigation of means for disinfecting or disposing of these materials on land were discussed, and further efforts at elimination of this source of pollution were promised.

A letter received from Harvey Campbell, vice president of the Detroit Chamber of Commerce, proposed that steps be taken to obtain water for the city and neighboring communities from Lake Huron.

On November 17 the hearings were transferred to the City Hall, Windsor, Ontario, Canada, and statements were received from a number of Canadian industries and municipalities that were contributing to the pollution of these boundary waters. Representatives appeared on behalf of salt, oil, gas, synthetic rubber, and chemical industries. Statements were also presented regarding materials dumped in the boundary waters or their tributaries by sugar-beet factories, canning factories, breweries, distilleries, and a company processing animal fats.

Representatives of the following municipalities also testified regarding their sewage-disposal problems and measures for remedying the existing situation: Sarnia, Point Edward, Wallaceburg, Chatham, Windsor, Amherstburg, Corruna, Moore Township, Courtright, Port Lambton, Belle River, Tecumseh, and Riverside.

The Commission also received important evidence regarding the extent of the pollution from representatives of the following Canadian organ-

izations: Ontario Federation of Commercial Fishermen, Port Dover; Ontario Federation of Anglers and Hunters, Windsor; Essex County Sportsmen's Association, Windsor; Wallaceburg Rod and Gun Club, Wallaceburg; and Kent County Sportsmen's Association, Chatham. The killing of ducks and fish in boundary waters on account of their pollution with oil and other deleterious substances was described, and the assistance of the Commission in preventing the destruction of these valuable natural resources was earnestly requested.

The Commission adjourned its sessions to Sault Ste. Marie, Ontario, Canada, where evidence was received on Monday, November 22, regarding pollution of the St. Marys River. Evidence was received from representatives of the following corporations: Union Carbide Division of Union Carbide and Carbon Company; Northwestern Leather Company; Abitibi Power and Paper Company; Algoma Steel Corporation; Dominion Tar and Chemical Company, Ltd.; International Transit Company; and Algoma and Hudson Bay Railway Company. The Mayor and City Engineer of Sault Ste. Marie, Michigan, and the Mayor and City Engineer of Sault Ste. Marie, Ontario, presented plans which had been prepared for the erection of sewage-disposal plants. However, action thereon had been deferred on account of the high cost of labor and materials. Assurance was given to the Commission that efforts would be made to terminate the dumping of raw sewage from these cities into the St. Marys River and to construct sewage-disposal plants which would take care of the sanitary and industrial wastes that are now being dumped into the river.

The Board of Technical Advisers has been requested by the Commission to prepare a report to the Commission respecting conditions disclosed by these investigations in order that the Governments of Canada and the United States may take appropriate action in respect to the pollution of these boundary waters, which are covered by the following provision in article IV of the boundary waters treaty of January 11, 1909:

"It is further agreed that the waters herein defined as boundary waters and waters flowing across the boundary shall not be polluted on either side to the injury of health or property on the other."

THE RECORD OF THE WEEK

Views on Soviet Action Prior to Berlin Election

[Released to the press December 2]

Text of a letter of November 29, 1948, from Vasili Sokolovsky, Commander in Chief of the Soviet Occupation Forces in Berlin, to Lucius D. Clay, U.S. Commander-in-Chief and Military Governor in Berlin

The Soviet command cannot fail to call your attention to dangerous acts which are taking place in the Western sectors of Berlin for the disorganization and the splitting of German municipal administrative agencies and which are supported by the military commandants of the Western sectors.

As you know, Soviet military authorities in Berlin indicated the necessity of preserving the unity of Berlin, which is the capital of Germany, and insisted on conducting democratic elections for the whole of Berlin. This proposal was not taken into consideration. Instead of a single democratic election for the whole of Berlin, separate local elections in the Western sectors of Berlin have been arranged for December 5, elections which will be conducted not under conditions of democratic freedom but under conditions of persecution of democratic organizations and of compulsory measures.

[Released to the press December 2]

Text of General Clay's reply of November 30 to Marshal Sokolovsky. Identical letters were sent by Generals Brian Robertson and Pierre Koenig

I have received your communication of November 29, 1948 inviting my attention to certain actions taking place in Berlin preparatory to the election on December 5 of the Berlin City Assembly.

It is my understanding that the competent authorities of the City of Berlin, acting in accordance with the Berlin provisional constitution which was approved by the four occupying powers in 1946, are proceeding with elections on December 5 which are called for after the expiration of the two-year terms of the members of the City Assembly. The Berlin authorities in due course had addressed to each of the four commandants advice regarding their purpose to hold elections obedient to the constitution. The Commandants of the United Kingdom, France and the United States had of course no objection.

I notice that in the fourth paragraph of your letter you suggest that separatist elements in the Berlin Magistrat with the support of certain occupation authorities have been striving to disorganize its operation as a single municipal organization. This suggestion is one which neither I

Separate elections in the Western sectors December 5 aim at liquidating united municipal administrative agencies, at creating a separate magistrat in the Western sectors for the uncontrolled management of these sectors by Western military authorities, and at encouraging the activities of the anti-democratic and openly reactionary elements of the city.

Moreover, for a long time already, separatist elements in the Berlin Magistrat who enjoy the support of certain occupation authorities have been striving to disorganize the operation of the Magistrat as a single municipal organization, also to expel from it the democratic representatives connected with large masses of the Berlin population. This is something to which the Soviet command cannot consent.

The Soviet command does not intend to encourage the actions of the anti-democratic elements of the Berlin Magistrat toward the splitting of German administrative agencies of Berlin, and, as in the past, will cooperate in preserving the unity of Berlin and in creating conditions which will insure normal activities for all democratic representatives in the agencies of the Berlin self-government.

nor any unbiased observer of the events of recent months can accept. The action of the Soviet authorities in permitting the disruption of the City Assembly by hooligan elements, their arbitrary dismissal of a number of duly elected city officials without the consent of the commandants of the three western sectors, and their abandonment of the Allied Kommandatura, together with innumerable other unilateral breaches of the quadripartite arrangements for Berlin, have demonstrated the intentions of the Soviet authorities to divide the city and to prevent the exercise of democratic rights and liberties in their own sector.

Moreover, a report has reached me according to which a dissident City Assembly, acting apparently with the connivance of the Soviet authorities have today proceeded to the illegal election of certain officers to the Magistrat, in direct contravention of the city constitution. If this report is confirmed, I should be grateful to be informed whether in fact the illegal action of these persons was taken with your approval.

For my own part I should add that I continue to desire to see reestablished at Berlin a situation corresponding to the accords which were concluded among us and which would permit under quadripartite control the unrestricted application of the Berlin constitution which was approved by the four occupying powers.

German and Austrian Immigration Opened to the United States¹

For the first time since 1941 it is possible for an ordinary resident of Germany or Austria without close relatives in the United States to register on a waiting list as a prospective immigrant to America.

One need not be a German or Austrian national to register in these countries. If a British subject, for example, is resident there, he may also fill out a registration form and, if born in Great Britain, his name will be placed on the British quota waiting list.

The resumption of regular immigration is a result of the Displaced Persons Act which Congress passed on June 19, Section 12, which directs that general consular activities in Germany and Austria be immediately resumed in order that German and Austrian quotas shall be available for applicants pursuant to the immigration laws. These laws provide a German quota of 25,957 per year with an additional 1,413 being allotted annually to Austria.

From the time these numbers were established in 1934 until the present time, the German annual quota has never been filled, although on the other hand the quota has never been closed—even during the war. Throughout all the time of hostilities Germans and Austrians residing outside of their homelands continued to go to America as regular immigrants. Thus many refugees from the Nazi regime found a new home in a free land.

Moreover, since the postwar reopening of American consular offices in Germany and Austria, the quotas have been used for persons entitled to reference visas—that is, parents of American citizens, husbands of American women, skilled agriculturists, and wives and unmarried minor children of legal residents of the United States. German and Austrian girls entering the United States as fiancées have also used up portions of the quotas. All together, some 15,000 Germans have entered the United States on immigrant visas since the end of hostilities.

Unfortunately for the thousands of Germans and Austrians now desiring to immigrate, the quota numbers have not been accumulating. Any of the 27,370 numbers granted under our quota system which are not used within a fiscal year are lost and cannot be utilized later. Thus the maximum number of German and Austrian born immigrants who can enter America this fiscal year—or any fiscal year—is 27,370.

In reality, because of another provision of the Displaced Persons Act, only about half this many native-born Germans and Austrians will enter

America during 1949 and 1950. The same Section 12 which directs the resumption of regular immigration from Austria and Germany also directs that for the next two years 50 percent of the German and Austrian quotas be used for persons of German ethnic origin who were born in Poland, Hungary, Czechoslovakia, Rumania or Yugoslavia and who on July 19, 1948 were residing in Germany or Austria.

This is a radical departure from previous American immigration laws. In nearly every other instance, a prospective immigrant to the United States must obtain a quota number from the quota of the country in which he was born regardless of his nationality present or past. Ordinarily, a person born in Czechoslovakia who has resided most of his life in Austria and who indeed possesses Austrian nationality must nevertheless travel to America under the Czech quota. Section 12 puts this provision of the Immigration Act of 1924 aside and for a period of two years permits ethnic Germans, more usually called Volksdeutsche, to travel to America under the German and Austrian quotas, even though they were not actually born in Germany or Austria.

As soon as the provisions of the Displaced Persons Bill were known, the Department of State directed that American consular offices in Germany and Austria make preparations to accept registration for immigration to the United States.² A date was established and kept secret upon which the announcement was to be made that residents of Germany and Austria could once again apply for a place on the waiting list of persons desiring to travel to America for permanent residence.

On Sept. 17, Mr. Marshall M. Vance, supervisory consul general for Germany, held a press conference in Frankfurt and made public the details of the new program. It was carefully announced that if a resident of Germany or Austria desired to apply for immigration, he must write a letter of request to the appropriate American consular office, enclosing in his letter a stamped self-addressed envelope in which a blank registration form could be returned to him.

In spite of these explicit instructions, thousands of would-be immigrants began to gather early on the morning of Monday, Sept. 20, before the doors

¹Article prepared by James S. Sutterlin, U.S. Vice Consul, Frankfurt. This article is reprinted from the *Information Bulletin* of Nov. 2, 1948, of the U.S. Military Government in Germany.

²BULLETIN of Sept. 26, 1948, p. 411 and Oct. 17, 1948, p. 501.

of the consulates in Germany and Austria. Interest in immigration proved intense, and during the first week approximately 150,000 written requests for registration forms were received in the six offices in Germany and the two offices in Austria. This was no surprise to consular officers, however, who providently had had 2,000,000 registration forms printed.

The question is often asked "What chance has one of the thousands of persons who have written in for registration forms to travel to the United States within the foreseeable future?" The answer is "That depends."

If he was not among the first to have returned his completed registration form, then he has a long wait, perhaps a matter of years. Approximately 25 percent of the several thousand mailed requests to the American Consulate in Stuttgart for registration forms are not being considered because they failed to conform with specified procedure. The commonest mistake has been failure to enclose with the request for registration a self-addressed, stamped envelope in which the registration form can be returned to the intending immigrant.

If a person submits an incorrect request he must then resubmit it in the proper manner. If he has no one willing to pay the cost of his transportation, he will have to wait until the time when the Deutsche mark can be used to purchase transportation; and if he cannot find someone who will be answerable for his support in the United States, or if he is seriously unsound either in body or mind, or if he has been or is a member of a movement hostile to the United States Government, he might as well give up any thought of immigration to the United States.

On the other hand, if he was among the first to return a completed registration form by mail to the appropriate consular office, if he has friends or relatives in the United States who are willing to vouch for his support and who are in addition willing to finance his journey, if he is sound in body and mind, and if he is not considered a security threat to the well-being of the United States and its people, his chances are good for beginning a new life in America.

U.S. Protests Hungarian Seizure of American Oil Interests

NOTE TO HUNGARIAN MINISTRY FOR FOREIGN AFFAIRS

[Released to the press December 21]

Text of a note delivered by the American Legation in Budapest to the Hungarian Ministry for Foreign Affairs under date of November 30, 1948, with reference to the Hungarian-American Oil Company (MAORT)

The Legation of the United States of America presents its compliments to the Hungarian Ministry for Foreign Affairs and has the honor to refer to Decree No. 9,960/1948 Korm.,¹ whereby the Hungarian Government has taken over the management, including the control of all assets and rights, of the Hungarian-American Oil Company (MAORT) and the MAORT Gas Trading Company, American-owned subsidiaries of the Standard Oil Company (New Jersey).

The Legation is authorized to inform the Ministry for Foreign Affairs that the Government of the United States, viewing this action of the Hungarian Government as wholly arbitrary and unwarrantable, (1) reserves all rights on its own behalf and on behalf of its nationals with respect to the status and property of MAORT and the latter's subsidiary the MAORT Gas Trading Company and (2) holds the Hungarian Government responsible for the continued operation of the afore-

said Companies and for the value of the assets of the Companies as of September 25, 1948, the date on which the Decree in question was published and came into force.

With reference further to the action of the Hungarian Government in this matter, the Government of the United States has taken note of the charges of "industrial sabotage" which the Hungarian Government has made against the owners and officials of MAORT and caused to be publicized in the "Report of the Hungarian Ministry of Home Affairs on the MAORT Sabotage" (Grey Book) as well as in the officially controlled Hungarian press. These charges are compounded of various assertions to the effect that the owners and officials increased oil production during the recent war, thus assuring significant support for the German war machine; that they decreased production after the war to hinder Hungary's economic development for political reasons and did this with the knowledge and under the direction of American Mission officials in Hungary; that they carried out this "sabotage" on the financial side by improper expenditures and management, against the Hungarian planned economy by disregarding instructions of the National Planning Office and by preventing the purchase of necessary equipment and the repair of machinery, on the technical side by

¹ Not here printed.

drilling exploratory wells at unpromising sites, rendering research, and improperly completing the wells, and, as regards the construction of the Lispeudapest natural gas pipeline, by placing every possible obstacle in the way of the project.

These allegations against the good faith and operations of the management of MAORT have been fully and conclusively refuted by the Standard Oil Company (New Jersey) in its memorandum titled "Standard Oil Company (New Jersey) and Oil Production in Hungary by MAORT: 1931-1948," a copy of which is enclosed for the attention of the Ministry for Foreign Affairs.

The Legation is instructed to inform the Ministry for Foreign Affairs that the Government of the United States emphatically rejects as false and malicious in their entirety the charges of sabotage which the Hungarian authorities have made against the owners and officials of MAORT. Moreover, the United States Government regards these allegations as having been politically motivated to serve the purposes of Communist propaganda and to feign grounds for bringing the Companies under Communist State control. In attempting to develop its fraudulent case against MAORT, the Hungarian Government has played up as primary evidence the alleged "confessions" of Dr. Paul Ruedemann and Mr. George Bannantine, American officials of the Company. However, the facts in this connection attested by sworn statements made by the two men upon their release from Hungarian police custody, are now well-known.² The truth concerning these "confessions," which were so hastily publicized in the obviously pre-babricated Hungarian "Grey Book" and elsewhere, is (1) that they were prepared by the Hungarian police, (2) that their contents are wholly false, and (3) that force and duress were employed against Dr. Ruedemann and Mr. Bannantine to compel them to copy in longhand and sign the documents. From these circumstances alone, the conclusion is so warranted that the "confessions" obtained by the Hungarian authorities from Dr. Simon Papp and other Hungarian employees of MAORT are likewise of a spurious character and were exacted by the usual police state methods.

The Government of the United States also deems it appropriate, relative to the principal accusation made by the Hungarian authorities against MAORT concerning the decreased rate of crude oil production, that the Legation should not only affirm the fact that MAORT consistently adhered to a policy of rational exploitation in the interest of conserving the oil resources of Hungary but should also draw attention to the fact that both the Secretariat of the Hungarian Supreme Economic Council and the experts of the Hungarian Ministry for Industry in the middle of 1947 recognized the necessity for reducing the rate of MAORT oil production. Thus, in a memorandum of the Ministry for Finance, dated July

8, 1947, which was presented as an item on the agenda of the Supreme Economic Council on July 9, it was reported that

"according to the recommendation of the secretariat of the Supreme Economic Council, oil production of 636,000 tons should be reduced by 10 percent, whereas the experts' opinion of the Ministry for Industry stated the necessity of reducing the production of 600,000 tons by 16 percent. A reduction by 16 percent is imperatively indicated by the status of the crude oil resources of Hungary."

It was further reported in the memorandum that

"if the production is not reduced by 16 percent, the following consequences will ensue:

"a.) 50 percent or 3,500,000 tons of the country's crude oil resources totalling 7,000,000 tons cannot be utilized.

"f.) During the course of the coming 3 years the output of oil is expected to decrease by more than the 16 percent reduction envisaged at present. Without the 16 percent reduction production will decrease more rapidly and will be reduced before long by 25 to 30 percent.

"Recommendation: On the above grounds it is absolutely indispensable to reduce the annual production of 600,000 tons by 16 percent."

Even more explicit than the foregoing was the original statement of the interdepartmental committee of experts that

"on the basis of gross production during the period during January 1 through May 31, 1947 (256,695 tons) the production during the course of 12 months amounts to 600,000 tons.

"In the opinion of the experts, if necessary investments are effected, the present level of production may be maintained; however, in this case an approximate quantity of 3,500,000 tons of the crude oil resources would remain in the earth and would be forever lost whereas with rational exploitation this quantity would be available. The above quantity is six times as much as the present annual production."

Finally, in the original report of the Secretariat of the Supreme Economic Council it is stated that

"in the opinion of the experts of the Ministry of Industry, in the interest of rational exploitation the gross production of 600,000 tons should be reduced by 16 percent, which means an annual gross production of 500,000 tons and an annual net production of 428,000 tons."

It is evident in the light of the essential facts set forth above—facts which are supplemented

² BULLETIN of Oct. 17, 1948, p. 494.

by many pertinent details in the Standard Oil Company's extended account of MAORT's operations—that the charges of "sabotage" brought by the Hungarian Government against the owners and officials of MAORT cannot be sustained, are therefore inadmissible, and cannot, as pretended by the Hungarian Government, serve as justification for that Government's action in taking over the management of the MAORT properties.

In these circumstances, the Government of the United States looks upon the Hungarian Govern-

ment's course and manner of proceeding in this matter as an encroachment upon American rights and interests in Hungary, for which the Hungarian Government must bear full legal and financial responsibility.

The Legation avails itself of this opportunity to renew to the Ministry the assurances of its most distinguished consideration.

Enclosure:

Copy of memorandum by Standard Oil Company (New Jersey) entitled "Standard Oil Company (New Jersey) and Oil Production in Hungary by MAORT: 1931-1948."

Double Taxation Conventions With Denmark and the Netherlands Ratified

On December 1, 1948, Acting Secretary of State Lovett, the Ambassador of Denmark, Henrik de Kauffmann, and the Ambassador of the Netherlands, E. N. van Kleffens, in Washington, formally exchanged the instruments of ratification of the conventions with Denmark and the Netherlands for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income. The Netherlands convention was signed in Washington on May 6, 1948, and the one with Denmark on April 29, 1948.

Denmark

It is provided in the convention that upon the exchange of instruments of ratification the convention shall have effect (a) in the case of United States tax, for the taxable years beginning on or after the first day of January of the year in which such exchange takes place, and (b) in the case of Danish tax, for the taxable years beginning on or after the first day of April of the year in which such exchange takes place. Accordingly, upon its entry into force with the exchange of instruments of ratification, the convention became effective retroactively on and from January 1, 1948, with respect to United States taxes and retroactively on and from April 1, 1948, with respect to Danish taxes. These dates are fixed in conformity to the fiscal systems of the respective countries.

As specified in article I, the taxes to which the convention is made applicable are (a) in the case of the United States, the Federal income tax, including surtaxes, and (b) in the case of Denmark, the national income tax (including the war profits tax), the intercommunal income tax, and the communal income tax.

The purpose of the convention, like that of existing income-tax conventions of the United States with Canada, France, Sweden, and the United Kingdom, is the elimination, so far as practicable, of double taxation which otherwise would result from the imposition and collection of taxes upon

the same income. The convention also establishes certain procedures for the exchange of information and for administrative cooperation between the two countries in relation to taxation, with a view to the prevention of fiscal evasion. The convention contains provisions for the exemption in one or the other of the two countries of certain types of income. Likewise, the principle of the United States tax-credit system is adopted in the convention on a reciprocal basis.

A proclamation of the convention will be issued by the President. The English and Danish texts of the convention will be printed in the *Treaties and Other International Acts Series* published by the Department of State. Meanwhile, the English text may be found in Senate Executive H, 80th Congress, second session.

A United States reservation to the convention which rejected article XII was accepted by the Danish Government.

Netherlands

It is provided in the convention that it shall become effective on the first day of January in the year last preceding the year in which the exchange of instruments of ratification takes place. Accordingly, upon its entry into force with the exchange of instruments of ratification, the convention became effective retroactively on and from January 1, 1947.

As specified in article I, the taxes to which the convention is made applicable are (a) in the case of the United States, the Federal income taxes and (b) in the case of the Netherlands, for the application of specified provisions, the income tax and the Netherlands taxes credited against it, the corporation tax and the Netherlands taxes credited against it, the property tax, the tax on fees of directors and managers of corporations, the capital accretions tax, and the extraordinary capital tax.

The purpose of the convention, like that of existing income-tax conventions of the United States with Canada, France, Sweden, and the

* Not printed.

Cooperative Exchange Programs Under the Smith-Mundt Act

BY WILLIAM C. JOHNSTONE, JR.¹

If our essential freedoms are to prevail, if other peoples are to have the opportunity to enjoy their rights, we in America must act more effectively to increase the knowledge of our principles and of the institutions founded on them among other peoples. And we must act more effectively to provide greater opportunities for people from other nations to come here and see for themselves. Only when ideas and knowledge are exchanged across national boundaries—only when peoples of different nations meet face to face and become acquainted with each other can international understanding be developed as a foundation for peace.

These facts of international life have long been recognized. Now, however, we are confronted with the fact that national boundaries are increasingly becoming barriers to exchange of ideas and knowledge. More and more people are barred from understanding America's intentions and experiencing our freedoms. We can no longer afford to observe passively the rapidly shrinking area of freedom throughout the world. We must actively combat the forces that would chain men's hands by dogmas. Our attack demands the concerted effort of all groups in our society—both citizen and government.

Fortunately, the American people are taking positive action.² Now for the first time in our history we are engaged in a comprehensive, cooperative program on a world-wide scale with the objective of building mutual understanding among peoples. This program was clearly and boldly laid down in the Smith-Mundt Act, passed by Congress in January 1948. This law authorized the Department of State in cooperation with private agencies, to undertake an information and educational exchange program throughout the world designed to tell the story of American life and institutions by means of press, radio, and motion pictures, and to provide for the two-way exchange of persons and materials in the educational, cultural, scientific, and technical fields. It is this latter program with which I am directly associated—the educational exchange program—which I should like to discuss with you for the next few minutes, for I believe that a quick look at the current and planned activities in this field will serve to underline the increased responsibilities which will naturally accrue to higher education as well as government.

As of today we are operating 64 United States Libraries abroad, and it is anticipated that by the end of the current fiscal year we will have 83 libraries in 52 countries. These are small libraries designed to provide for the people of other countries a cross section of all aspects of American life through selected books, pamphlets, and other materials. Located in the principal cities all over the world, they are free and open to anyone who wants to know about the United States. American staff members are ready to answer all sorts of questions—and believe me they do! Teachers come into these libraries and are able to get accurate information for presentation in their classrooms. Professors come to read American professional journals to find out what their colleagues in the United States are doing. Scientists come to acquaint themselves with the latest developments in the United States. There is not a single library in which some of the regular visitors are not government officials of the country in which the library is located. They find valuable experience in all of the developments of American government which often gives them a clue to some problems with which they are immediately concerned.

And so they come in all walks of life—often with very simple questions—a dairy farmer wants to subscribe to an American dairy farming magazine; an exporter wants to know about advertising in American periodicals; a dentist wants to know how he can purchase American dental equipment. But these questions—simple as they are—illustrate a great desire to use American know-how and very often lead to an interest in many other aspects of American life. Our overseas officers utilize this interest by arranging for film showings, exhibits, concerts, and lectures in the libraries. Thus the natural interest of people abroad about all things American is gradually turned into a better understanding of American ways and institutions.

Ten years ago in Latin America we began to give aid to a new kind of institution—new at least, in American relations with foreign countries. As

¹Address made before the Regional Conference on Higher Education, National Education Association, in New York City on Dec. 3, 1948, and released to the press on the same date.

²For additional information on the program see *Cooperation in the Americas* (Department of State publication 2971), and *International Education Exchange* (Department of State publication 3312).

part of the Good Neighbor Policy, we have assisted local cultural institutes founded by the joint efforts of resident Americans and nationals of the country who have dedicated themselves to sponsoring programs of cultural interchange toward the end of creating improved understanding among peoples of the Western Hemisphere. Today there are 28 of these cultural institutes in the Latin American countries. They have attracted people in all walks of life to their English teaching classes and to their exhibits, lectures, music, and other activities. I should like to cite an example which I feel is typical of the impact of this activity.

Recently an eminent Brazilian engineer came to this country for the first time, under a State Department grant, for a three months' tour of the country. He was primarily interested in agricultural developments in Brazil. For a number of years he has been president of our cultural center in São Paulo, and his interest in and knowledge of the United States is quite extensive. Before he left this country he was asked what was the outstanding thing he found. His answer would amaze the average American, for he named our rural free delivery service. It was his contention that this service provided by our Government was not only a means of educating a people, a means by which they could keep in contact with their friends, but also an evidence of our democracy. He was surprised to find that farmers in outlying rural regions were able to receive their mail in open, unlocked mail boxes. He is taking back that idea to his country.

In Latin American countries American-sponsored schools have been established. At first they were started to provide an American education for the children of American residents, private and public officials in the country. Gradually, they were opened to the children of the people of the country itself. We have provided aid in various forms to these schools and in each country they stand as an example of American education. In one country, for example, the whole educational system is undergoing a revision because of the advanced methods and techniques used in the American school. Under the Smith-Mundt Act, we propose to extend this aid to schools and American-sponsored educational institutions throughout the world.

By far the largest effort, however, is being put into interchange of persons between the United States and other countries. Here again we have been carrying on a program in Latin America for ten years. During World War II, the State Department was authorized to carry on this program with China and with certain countries of the Near and Middle East. Therefore, we have a considerable experience now when we propose to extend this program to the whole world. This is the kind of a program in which cooperation of government and private organizations is particularly essential

to its success. It involves two types of exchanges—interchange of scientific and technical personnel between the United States and other countries and interchange of teachers, scholars, and students. In carrying out its responsibilities in exchange of scientific and technical personnel, the State Department works through an Interdepartmental Committee on Scientific and Cultural Cooperation composed of representatives of the other federal agencies. This program provides for the exchange of scientific and technical personnel, the detail of American governmental experts from many of our government agencies in Washington to other countries to assist them in a variety of specialized problems. It involves the training of government officials from other countries and bringing younger persons here to be trained in a particular specialty to go back to their own countries to put into practice the results of their American experience. Let me cite some examples.

Several years ago there was an outbreak of poliomyelitis in Ecuador. The Ecuadoran Government asked the United States to send an orthopedic surgeon to work with their public-health administration there and a technician from our Children's Bureau in the United States to follow up this orthopedic surgeon in organizing hospital techniques for getting the children suffering from this disease back on their feet. After this children's specialist had been seen on the streets of the capital for a number of months, her work was reported in the newspapers. She was approached one day by a taxi driver, who doffed his hat and said: "Señorita, my fellow taxi drivers want to tell you how grateful we are for the work you are doing for the children of my country. They asked me to tell you that if any time of day or night you need a taxi, they are at your service". Appreciation comes in strange unexpected ways, but it is no less important because of this.

Incidentally, this Children's Bureau specialist stayed on to reorganize the national school of social service in Ecuador and trained most of the faculty. Only last June the school graduated its first class of 17 specialists, most of whom will go to work for the Ecuadoran Government to attack the problem of poliomyelitis.

A number of years ago El Salvador requested our assistance in developing her agriculture, of which coffee is the principal commodity. Our scientists, under a mutual agreement with the Salvadoran Government, set up an agricultural experiment and demonstration station in 1942. One of the results of its work was the development of a dairy feed from the waste pulp of the coffee bean. When mixed with banana leaves and other products to make it palatable, the cattle will eat it, and it serves as a substitute for a large percentage of corn in their balanced ration. The result of this discovery is that we have added a dairy feed to the hemisphere equal in quantity, the De-

partment of Agriculture estimates, to 34 million bushels of corn yearly. This is important to the economy of all coffee-producing countries, and internationally noteworthy in view of the world-wide shortage of corn and other feed grain.

The way in which the various agencies of our government are brought to bear on a specific problem is well illustrated by the preparations made for the 1950 census of the Americas. This census represents the first systematic survey of its kind and promises to yield important results. The Bureau of the Census of the Department of Commerce, with assistance from the Bureau of Agricultural Economics of the Department of Agriculture, the National Office of Vital Statistics of the Federal Security Agency, and the Bureau of Labor Statistics of the Department of Labor, has developed a coordinated program for giving technical assistance to officials and agencies in the Latin American countries for taking the censuses of population, agriculture, industry, business, and mining.

In the integration of census work it is strengthening the statistical staff of the governments of the countries concerned. To implement this program American Government agencies have sent one or more consultants to each of the other American republics. More than 100 technicians from other American republics have been awarded grants to come to the United States and work with our government agencies for advanced study and training. Many of these have returned to their own countries and now hold responsible posts in this field in their countries. Special trainees have been sent at the expense of their own government, and by 1950 more than 200 men and women in the other American republics will have received special census training.

It is in the field of academic exchanges that the cooperative nature of our educational exchange program becomes most apparent. In this program private institutions in the United States, the State Department, foreign governments and private institutions in foreign countries join in a cooperative undertaking which has as its purpose the exchange of ideas and knowledge and the creation of a better understanding of the United States by peoples abroad and of a better understanding of other countries by Americans.

This whole program of academic exchanges has been further stimulated by the existence of the Fulbright Act under which proceeds from the sale of American surplus property abroad in foreign currencies are earmarked under an agreement between the United States and the country concerned for educational purposes. Twenty-four countries are eligible to participate under this act. We have signed agreements with eight and four programs are now in operation. We expect that twenty countries will have program operations going by the end of this fiscal year. Because of

the existence of the Fulbright Act and foreign currency funds available in these twenty countries for purposes of academic exchanges, it will enable us to plan not a one-year program but a two-, three- or four-year program of exchanges. However, academic exchanges will not be confined to the countries participating in the Fulbright program. The new authorization under the Smith-Mundt Act provides for carrying out on a world-wide basis the exchange program which has been limited for the past ten years to the Western Hemisphere.

I do not think it necessary to justify the value of exchange of students, teachers, and scholars to this distinguished audience. The immediate results as well as the long-term effects are plainly evident. Let me cite two examples.

Two years ago we were asked if we could facilitate the visit of a young doctor from Iraq to this country for purposes of medical research. It was possible to arrange a two-year grant for thirty-year old Dr. Suad Niazi, and he was awarded a tuition fellowship at the University of Minnesota to do research toward the doctor of philosophy degree in medicine. A little over a month ago, at the October meeting of the Clinical Congress of the American College of Surgeons in Los Angeles, Dr. Niazi announced the discovery of a test for cancer which may by early diagnosis save thousands of lives. This test has proved 90 percent accurate in diagnosing 62 varieties of cancer. Because he is here on a two-year grant, he will have the opportunity to conduct further research in this most vital problem in medicine, and it is his hope that he can find much more of value in the attack on the disease of cancer. The small investment which was made in his study in the United States both by the government and by a private university has been justified a hundred times by the discovery which this brilliant young doctor has made.

Two and one half years ago, the State Department assisted in the development of an idea of exchange of teachers between Great Britain and the United States at the primary and secondary level. This was an official undertaking on behalf of the British and American Governments in which assistance of private organizations was gladly given in a cooperative undertaking which involved not only private organizations but our public school systems in forty of the forty-eight states. This is the third year of an exchange of teachers program administered by the United States Office of Education at the request of the State Department. More than a hundred American teachers have taught in Great Britain and a hundred English teachers have taught in the schools of the United States. The results of this are often startling.

A woman teacher, for instance, from the schools of Oklahoma City was assigned to teach in a slum district in the industrial town of Leeds, in Eng-

land. It may have been a discouraging prospect to the woman who had been used to the fine physical equipment of the Oklahoma City Schools. However, she was not discouraged and because she represented America as well as her school, it was not long before the city of Leeds and Oklahoma City began to get acquainted. As a result of her efforts school children in both cities began exchanging letters and teachers began exchanging ideas. Again, as a result of the visit of an English teacher to a small town in Texas, 1,700 Texas school teachers and 1,700 British teachers have now begun a steady correspondence with the exchange of ideas, materials, and books. Such exchanges can only result in a far better understanding of each others' problems in the countries concerned.

I believe that one of the unique features of this Government's undertaking is its cooperative aspect. The basic legislation authorizing this program enjoins the State Department to utilize the facilities, the services, and the advice of private agencies and institutions throughout the country. But it goes still further. It provides for two advisory commissions—one to advise on our information policy abroad and the other to advise on our educational exchange policies and programs. These two commissions, appointed by the President and composed of distinguished private citizens who serve without pay, not only recommend and advise to the Secretary of State quarterly on the conduct of these world-wide programs, but are required to report twice yearly to the Congress on what the State Department has done to put into effect their recommendations. By the establishment of these commissions the public interest is officially recognized in the conduct of foreign relations in an entirely new way. The keen interest already evident on the part of members of the commissions is a healthy sign. It is heartening assurance that this unique approach is a step toward making representative government even more representative.

I have described some of the educational exchange activities of the State Department and the proposed plans to expand these activities to new areas under terms of the Smith-Mundt Act. I hope that you have not gained the erroneous impression that the role of government is an exclusive or dominating one. Nothing could be further from the truth. The act itself not only defines the limits of governmental participating but specifically urges that fullest use be made of private facilities. In fact, the act is so devised as to permit the government to encourage and assist private agencies and institutions to expand rather than diminish their activities. Those directly responsible for conduct of the program affirm this policy. Mr. George V. Allen, Assistant Secretary of State for public affairs, recently re-

affirmed the opinion that "government's role should remain supplemental . . . and that it should be limited to those fields where private industry cannot or does not wish to enter." The support of a wide variety of private agencies and institutions as well as the support of the public generally is vital to the success of this undertaking. Your Government needs—your Government welcomes this support.

Fellowships for Research and Study in Other Americas Available

[Released to the press November 30]

Opportunities for a limited number of American graduate students to obtain fellowships from the United States Government for study or research in the other American republics were announced on November 30 by the Department of State and the United States Office of Education.

The two programs under which these grants-in-aid are offered are:

1. *The travel and maintenance grant program.* These grants are supplementary in nature and awarded to students who have obtained grants-in-aid, veteran benefits, scholarships, fellowships, or travel grants from private organizations and institutions, or who have limited funds of their own. Grants cover a minimum period of six months to a maximum of one year and may be renewed when desirable and necessary to the completion of work begun, provided funds are available for such extension. The amounts of the awards will vary with the individual needs of the students and the cost of living in the country in which study is to be undertaken. Applicants should write to the Division of International Educational Relations, American Republics Branch, United States Office of Education, Washington 25, D.C. The final date for receipt of applications for these fellowships is March 15, 1949. Selections will be made in April 1949, and notification of awards will be made as soon as possible thereafter.

2. *Fellowships for United States graduate students under the Buenos Aires convention.* Under this program, two graduate students are exchanged each year between the United States and each of the republics signatory to the convention. This year the following countries have indicated that they will receive students from the United States: Brazil, Chile, Colombia, Costa Rica, the Dominican Republic, Haiti, Honduras, Mexico, Paraguay, Peru, Venezuela. Transportation to and from the host country is paid by the United States Government. The host government pays tuition and a monthly allowance. Grants are for one year of study or research. Applicants should write to

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the Division of International Educational Relations, American Republics Branch, United States Office of Education, Washington 25, D.C. The final date for receipt of applications is January 1, 1949.

Qualifications: In order to apply students should have the following qualifications for either program: United States citizenship, a B.A. or its equivalent, the initiation or completion of some graduate study, a satisfactory knowledge of the language of the host country, good health, moral character, intellectual ability, and a suitable plan of study or research approved by his supervisor or adviser. All other considerations being equal, students under 35 years of age and veterans will be given preference.

Mineral-Geologic Survey Program With Brazil Extended

[Released to the press November 30]

The Department of State announced on November 30 that a cooperative mineralogical-geological survey program between the Governments of Brazil and the United States has been extended for a ten-year period.

The American Embassy at Rio de Janeiro informed the Department that the program, originally established in 1940, was extended by agreement between the Embassy and the Brazilian Foreign Office on November 26, 1948.

The general purposes of the cooperative program are as follows:

(a) to appraise the mineral resources of Brazil, both as regards those which now constitute a part of the trade between the United States of America and Brazil as well as those which may in the future enter into this trade;

(b) to prepare geologic, topographic, and other maps which may be used as a scientific basis for the development of Brazil's mineral resources;

(c) to encourage the exchange of scientific knowledge and techniques between the two countries, particularly as regards aerial geologic mapping, topographic mapping, economic geology, and ground water and mineralogical investigations;

(d) to make technological investigations as to the industrial use of Brazilian mineral ores, both for internal consumption as well as for purposes of export trade;

(e) to study the problems connected with prospecting, research, mining, processing, and combustion of Brazilian coals.

The new agreement is to remain in effect for a period of ten years from the date of its entry into force—that is, ten years from November 26, 1948. It may be terminated by either of the Governments

on 60 days' written notice. The implementation of the agreement will be carried forward by the Bureau of Mines and the Geological Survey of the Department of the Interior on behalf of the Government of the United States of America and by the Departamento Nacional da Produção Mineral of the Ministry of Agriculture of the Government of the United States of Brazil. Salaries and expenses of personnel of the respective agencies will be paid by the agencies. Transportation costs of U.S. personnel in Brazil will be defrayed by the Government of Brazil.

Diplomatic Relations Between U.S. and Peru Continued

[Released to the press November 21]

The United States Government has decided to continue normal diplomatic relations with Peru. It has therefore instructed the American Ambassador in Peru, Harold H. Tittmann, Jr., to reply to a note dated October 31 addressed to him by the new Peruvian Government.

This decision is in line with resolution no. 35 adopted at the Bogotá conference early this year. This resolution states that continuity in diplomatic relations is desirable and that the establishment, maintenance, or renewal of diplomatic relations with a particular government does not in any way imply any judgment as to the domestic policy of such a government.

The note received by Ambassador Tittmann states that the new Government of Peru will scrupulously observe that country's international obligations. It also expresses a hope that the traditional cordial relations between our two countries will continue. Our note in reply expresses satisfaction over these statements made by the Government of Peru.

President of Cuba Visits United States

President Carlos Prío of Cuba arrived in Washington on December 8 for a visit in the United States. President Prío was honored at a dinner given by President Truman at the Blair House, and during his stay in Washington visited points of interest in the surrounding area. The members of the Council of the Organization of American States entertained him at a special luncheon meeting on December 9 and the Acting Secretary of State gave a dinner for him on the same evening. On December 10 a luncheon was given by the National Press Club and following a visit to the Naval Academy at Annapolis, the Ambassador of Cuba and Señora de Belt held a reception in honor of the Cuban President. Mr. Belt was scheduled to depart from Washington on December 11 for New York and to leave for Habana the following day.

Mexican Zoologist Visits United States

José Alvarez del Villar, professor of zoology at the National School of Sciences, National Polytechnic Institute, Mexico, D.F., recently arrived in Washington as the recipient of a grant-in-aid under the travel-grant program of the Department of State in cooperation with the Fish and Wildlife Service of the Department of the Interior. After a short visit in Washington, he will go to La Jolla, California, for approximately two months of research at the Scripps Institution of Oceanography, where he will collaborate with Dr. Carl L. Hubbs in completing for publication a monograph on the fresh-water fishes of northeastern Mexico. His itinerary will also include Chicago, Urbana, and New York. He will remain in the United States until the end of February 1949.

U.S. and Canada Agree on 1948 Program for Canadian Potato Crop

Through an exchange of notes completed on November 23, 1948, the United States and Canada entered into an agreement whereby the Canadian Government will institute a price-support and export-permit program for the 1948 Canadian potato crop. Under this program there will be no further exports of table-stock potatoes to the United States and the program will be designed to channel exports of certified seed potatoes into seed outlets only in the United States. The agreement was reached following a series of conferences between Canadian officials and officials of the United States Departments of State, Agriculture, and Treasury (including the Customs Bureau).

Restriction of export of seed potatoes will be accomplished by the Canadian Government through an export-permit system. The export permits for seed potatoes will be issued to Canadian shippers on a time-schedule basis, designed to direct shipment of Canadian certified seed potatoes into those states where there has been a traditional demand for certified seed potatoes for actual use for seed, and only during a short period immediately preceding the normal planting date. Before obtaining such permits Canadian exporters will be required to prove that they have firm orders from *bona fide* users of Canadian seed potatoes in the United States and that their sales contracts contain a clause restraining the buyers from diverting to other destinations or uses.

In connection with the institution of such a program by Canada, the United States indicates that it will not hereafter impose any quantitative limitations or fees on the 1948 crop of Canadian potatoes.

In Canada's prompt and effective cooperation with the United States in this matter another in-

stance has been provided of the readiness of two countries to take joint action to meet problems of mutual concern. Canada, in entering into the agreement, has assisted the United States materially by recognizing the adverse effect which unrestricted imports of Canadian potatoes would have on the United States potato programs.

For text of the exchange of notes, see Department of State press release 954 of November 1948.

U.S. Invited To Convene a Conference for Negotiating International Wheat Agreement

[Released to the press December 1, 1948]

Charles F. Wilson, Chairman of the Preparatory Committee appointed by the Government of the United States for the purpose of negotiating an International Wheat Agreement last March, announced that the Committee met in Washington on December 1, 1948, and agreed to invite the Government of the United States to convene a conference in Washington on January 25, 1949, for the purpose of negotiating an International Wheat Agreement.

The countries represented on the Preparatory Committee are Australia, Benelux (Belgium, the Netherlands, and Luxembourg), Brazil, Canada, Egypt, France, India, the United Kingdom, and the United States.

Proclamations Relating to Migratory Bird Treaty Act

The President has issued the following proclamations: Closed Area Under the Migratory Bird Treaty Act, Massachusetts, on October 18, 1948; Modification of Closed Area Under the Migratory Bird Treaty Act, Oregon, on October 20, 1948; and Amendment of Regulations Relating to Migratory Birds and Game Mammals on October 30, 1948, and on November 5, 1948. For texts of these proclamations see 13 *Federal Register* 6115, 6191, 6461, and 6549 respectively.

Letters of Credence

New Zealand

Sir Carl Berendsen, K.C.M.G., presented his credentials to the President as Ambassador of New Zealand on December 1. For texts of the Ambassador's remarks and the President's reply, see Department of State press release 967 of December 1, 1948. Since July 12, 1944, Sir Carl had served as Minister to the United States.

Department of State Bulletin

Ratifications of Chinese Commercial Treaty Exchanged

[Released to the press November 30]

Ratifications of the treaty of friendship, commerce, and navigation between the United States and China were exchanged at Nanking on November 30. Under its own provisions, the treaty became effective on the day on which the ratifications were exchanged.

This treaty was signed at Nanking on November 4, 1946, ratified by the Chinese Government on November 11, 1946, and agreed to by the United States Senate on June 2, 1948.

This is the first comprehensive commercial treaty to be concluded by either Government since the war. The United States and China signed their first treaty of peace, amity, and commerce in 1844. The present treaty is basically similar to treaties of friendship, commerce, and navigation now in force between the United States and various other countries. It is believed to offer an adequate basis for the development of cultural, business, and trade relations to the mutual advantage of the two countries. The treaty contains articles relating to rights of individuals and cor-

porations; exchange of goods; navigation; and general matters.

Under its own provisions the treaty will remain in effect for five years from the day it comes into force, and will remain in force thereafter subject to termination on one year's notice by either government.

Madame Chiang Kai-shek Arrives in U.S.

A United States naval transport plane was made available to Madame Chiang Kai-shek at her request for transportation for her and a small party to Washington in connection with the critical situation in China. Madame Chiang departed from Shanghai on November 28 and arrived in Washington on December 1.

Change in Name of the Netherlands East Indies

Effective September 20, 1948, the Netherlands East Indies (Netherlands Indies) is to be known as Indonesia. The change in nomenclature is embodied in the revision of the constitution of the Kingdom of the Netherlands.

Caribbean Commission Releases Two Technical Studies

The Industrial Development of Puerto Rico and the Virgin Islands of the United States

A publication entitled *Industrial Development of Puerto Rico and the Virgin Islands of the United States* dated July 1948 is now available. The report contains chapters on the following subjects: background of Puerto Rican economy; national income; balance of payments; exports and imports; fiscal structure of the Puerto Rican Government; Government influence on industry; manpower, wages, hours, and working conditions; sources of fuel and power; transportation and communications; sources of materials; growth of production; expansion of existing industries; new enterprises; capital for industrial development.

The Sugar Trade of the Caribbean

The first of a series of bulletins on external trade of the Caribbean, *The Sugar Trade of the Caribbean*, was released on November 13 by the Caribbean Commission.

According to the Commission's release, the major conclusions which emerge from the statistics presented for the trade in sugar and its by-products during the years 1935-1945 may be summarized as follows:

Despite the war, exports of sugar had increased by 1945 as compared with 1935 by one tenth in volume and by two fifths in value. At the height of the war, in 1942, exports declined by 3 percent in volume and, in 1940, were 6 percent below the 1935 figure in value. The French Islands were a notable exception to this rule, while, at the other extreme, the increase was steady and virtually uninterrupted in Barbados and Jamaica.

Largely as a result of the war, exports of rum increased considerably. By 1944 they had doubled in quantity and were five and a half times as much in value. The increase was nothing short of phenomenal in Puerto Rico, the Virgin Islands, Barbados, Trinidad, and Tobago.

Exports of molasses experienced a considerable decline. They reached their lowest point in 1943, when they were only one fifth in volume and one third in value as compared with the exports for 1935.

The total value of exports of sugar and by-products increased by more than one half during the period under review.

The increase of exports of rum effected a considerable change in the relative importance of sugar and rum in the total exports of sugar and by-products. From one fourteenth of the total

THE FOREIGN SERVICE

exports of sugar and by-products in 1935, exports of rum increased to one quarter in 1943 and three tenths in 1944. Exports of sugar, more than four fifths of the total exports of sugar and by-products in 1935, declined to two thirds in 1944.

The comparative increase in export prices of raw sugar, 27 percent by 1945, was over-shadowed by the comparative increase in import prices of refined sugar, 164 percent by 1945.

With the restriction of imports during the war, refining of sugar was developed to a considerable extent, not only to meet local needs but also to supply the needs of the nonsugar-producing Caribbean territories. The increase was particularly noticeable in the case of Barbados and Jamaica, whereas in Puerto Rico substantial quantities of refined sugar have regularly been exported.

An interesting sidelight on the rum trade is the considerable exchange that takes place between the sugar-producing areas. However, the market for Jamaica rum is, in the most literal sense of the phrase, the world market.

These two publications may be procured from the Secretary General, Caribbean Commission, Kent House, Port-of-Spain, Trinidad, B.W.I., for \$1.50 and \$1.00 respectively.

Double Taxation—Continued from page 738

United Kingdom, is the elimination, so far as practicable, of double taxation which otherwise would result from the imposition and collection of taxes upon the same income. The convention also establishes certain procedures for the exchange of information between the two countries in relation to taxation with a view to the prevention of fiscal evasion. Through liberal and reciprocal use of the method of eliminating double taxation through exemption at source, the convention with the Netherlands conforms closely to the pattern of the income-tax convention between the United States and the United Kingdom. Likewise, the principle of the United States tax-credit system is adopted in the convention on a reciprocal basis.

The convention contains special provisions representing a unilateral concession on the part of the Netherlands, relating to the Netherlands capital-accretions tax and Netherlands extraordinary-capital tax and granting substantial benefits to American citizens and certain other persons who were formerly Netherlands residents.

A proclamation of the convention will be issued by the President. The English and Dutch texts of the convention will be printed in the Treaties and Other International Acts Series published by the Department of State. Meanwhile, the English

* For texts of the Ambassador's remarks and the President's reply, see Department of State press release 938 of Nov. 23, 1948.

text may be found in Senate Executive I, 80 Congress, second session.

The convention was ratified by the United States subject to three reservations, which were accepted by the Government of the Kingdom of the Netherlands and which read as follows:

1. The Government of the United States America does not accept article XI of the convention relating to gains from the sale or exchange of capital assets.

2. The Government of the United States America does not accept article XIII of the convention relating to United States taxation of the undistributed earnings, profits, income, or surplus of a Netherlands corporation.

3. The Government of the United States America does not accept article XIV of the convention relating to settlement of unpaid United States income-tax liability unless there be eliminated therefrom (a) references now appearing therein to article XIII and (b) any language which might prevent the taxation by the United States of capital gains, if any, taxable under the revenue laws of the United States for the respective years in which such gains were realized.

THE FOREIGN SERVICE

U.S. and Afghanistan Raise Diplomatic Missions to Embassy Status

*Afghan Ambassador Presents Credentials*¹

[Released to the press November 2]

The Afghan Legation in Washington was elevated to Embassy status on November 2 when the Ambassador Sardar Mohamed Naim Khan presented his letters of credence to the President.

The Government of Afghanistan indicated its willingness to exchange Ambassadors on March 1, 1948, and our mission in Kabul became an Embassy, with Ely E. Palmer as the first Ambassador of the United States on June 5.

Diplomatic relations between the two countries were established on May 4, 1935, when the first American Minister presented his credentials to the King of Afghanistan. The first Afghan Minister to the United States was received by the President on June 4, 1943.

Consular Offices

The American Consulate at Cochabamba, Bolivia, was closed to the public on October 29, 1948.

The American Vice Consulate at La Guaira, Venezuela, was closed to the public on November 22, 1948. The vice consular district for La Guaira has been assigned to Caracas. A Consular Agent assumed charge at La Guaira.

Department of State Bulletin

PUBLICATIONS

Department of State

For sale by the Superintendent of Documents, Government Printing Office, Washington 25, D.C. Address requests direct to the Superintendent of Documents, except in the case of free publications, which may be obtained from the Department of State.

International Telecommunication Conferences. Atlantic City, New Jersey, May-October 1947. International Organization and Conference Series I, 4. Pub. 3177. 192 pp. 40¢.

Report of the United States Delegations to the International Radio Conference, the International Telecommunication Conference, and the International Conference on High Frequency Broadcasting, with selected documents.

80th Congress and the United Nations. International Organization and Conference Series III, 17. Pub. 3302. 6 pp. 35¢.

An itemized discussion, with pertinent appendixes, of all legislation regarding the United Nations considered and passed during the two sessions of the 80th Congress.

Settlement of Pecuniary Claims Against Yugoslavia. Treaties and Other International Acts Series 1803. Pub. 3307. 9 pp. 5¢.

Agreement between the United States and Yugoslavia, and Accompanying Aide-Mémoire and Notes—Signed at Washington July 19, 1948; entered into force July 19, 1948.

Diplomatic List, November 1948. Pub. 3342. 198 pp. 30¢ copy; \$3.25 a year domestic, \$4.50 a year foreign.

Monthly list of foreign diplomatic representatives in Washington, with their addresses.

Current United Nations Documents: A Selected Bibliography¹

Security Council

Official Records, Third Year:

- No. 101, 344th meeting: 4 August 1948. 27 pp. printed. 25¢.
- No. 102, 345th and 346th meetings: 10th August 1948. 41 pp. printed. 40¢.
- No. 103, 347th meeting: 12 August 1948; 348th and 349th meetings: 13 August 1948. 46 pp. printed. 50¢.
- No. 104, 350th meeting: 16 August 1948. 19 pp. printed. 20¢.
- No. 107, 353rd, 354th and 355th meetings: 19 August 1948. 56 pp. printed. 60¢.
- No. 108, 356th meeting: 30 August 1948. 11 pp. printed. 10¢.
- Supplement for August 1948. 167 pp. printed. \$1.65.

Economic and Social Council

Official Records: Third Year, Seventh Session. Supplement No. 6. Report of the *Ad Hoc* Committee on Genocide. 5 April to 10 May 1948. E/794. 19 pp. printed. 20¢.

Trusteeship Council

Resolutions Adopted by the Trusteeship Council during its Third Session from 16 June to 5 August 1948. 7 pp. printed. 10¢. T/215.

Visiting Mission to the Trust Territory of Ruanda-Urundi under Belgian Administration. Report - Annex IV: Petitions. T/217/Add.1, 31 October 1948. 82 pp. mimeo.

¹ Printed materials may be secured in the United States from the International Documents Service, Columbia University Press, 2960 Broadway, New York City. Other materials (mimeographed, or processed documents) may be consulted at certain designated libraries in the United States.

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Contributors

W. D. Termohlen, author of the article on the Eighth World's Poultry Congress, is Director of the Poultry Branch of the Production and Marketing Administration of the Department of Agriculture, and was Chairman of the United States Delegation to the Congress.

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bulletin

*Vol. XIX, No. 494
December 19, 1948*

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The Department of State bulletin

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December 19, 1948

The Department of State BULLETIN, a weekly publication compiled and edited in the Division of Publications, Office of Public Affairs, provides the public and interested agencies of the Government with information on developments in the field of foreign relations and on the work of the Department of State and the Foreign Service. The BULLETIN includes press releases on foreign policy issued by the White House and the Department, and statements and addresses made by the President and by the Secretary of State and other officers of the Department, as well as special articles on various phases of international affairs and the functions of the Department. Information is included concerning treaties and international agreements to which the United States is or may become a party and treaties of general international interest.

Publications of the Department, as well as legislative material in the field of international relations, are listed currently.

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General Assembly Adopts Declaration of Human Rights

STATEMENT BY MRS. FRANKLIN D. ROOSEVELT¹

U.S. Representative to the General Assembly

The long and meticulous study and debate of which this universal Declaration of Human Rights is the product means that it reflects the composite views of the many men and governments who have contributed to its formulation. Not every man nor every government can have what he wants in a document of this kind. There are of course particular provisions in the declaration before us with which we are not fully satisfied. I have no doubt this is true of other delegations, but taken as a whole the Delegation of the United States believes that this is a good document—even a great document—and we propose to give it our full support. The position of the United States on the various parts of the declaration is a matter of record in the Third Committee. I shall not burden the Assembly, and particularly my colleagues of the Third Committee, with a restatement of that position here.

Certain provisions of the declaration are stated in such broad terms as to be acceptable only because of the limitations in article 29 providing for limitation on the exercise of the rights for the purpose of meeting the requirements of morality, public order, and the general welfare. An example of this is the provision that everyone has the right of equal access to the public service in his country. The basic principle of equality and of nondiscrimination as to public employment is sound, but it cannot be accepted without limitations. My Government, for example, would consider that this is unquestionably subject to limitation in the interest of public order and the general welfare. It would not consider that the exclusion from public employment of persons holding subversive political beliefs and not loyal to the basic principles and practices of the constitution and laws of the country would in any way infringe upon this right.

Likewise, my Government has made it clear in the course of the development of the declaration that it does not consider that the economic and social and cultural rights stated in the declaration imply an obligation on governments to assure the enjoyment of these rights by direct governmental action. This was made quite clear in the Human Rights Commission text of article 23 which served as a so-called "umbrella" article to the articles on economic and social rights. We consider that the principle has not been affected by the fact that

this article no longer contains a reference to the articles which follow it. This in no way affects our whole-hearted support for the basic principles of economic, social, and cultural rights set forth in these articles.

In giving our approval to the declaration today, it is of primary importance that we keep clearly in mind the basic character of the document. It is not a treaty; it is not an international agreement. It is not and does not purport to be a statement of law or of legal obligation. It is a declaration of basic principles of human rights and freedoms, to be stamped with the approval of the General Assembly by formal vote of its members, and to serve as a common standard of achievement for all peoples of all nations.

We stand today at the threshold of a great event both in the life of the United Nations and in the life of mankind, that is the approval by the General Assembly of the Universal Declaration of Human Rights recommended by the Third Committee. This declaration may well become the international Magna Carta of all men everywhere. We hope its proclamation by the General Assembly will be an event comparable to the proclamation of the Declaration of the Rights of Man by the French people in 1789, the adoption of the Bill of Rights by the people of the United States, and the adoption of comparable declarations at different times in other countries.

At a time when there are so many issues on which we find it difficult to reach a common basis of agreement, it is a significant fact that 58 states have found such a large measure of agreement in the complex field of human rights. This must be taken as testimony of our common aspiration first voiced in the Charter of the United Nations to lift men everywhere to a higher standard of life and to a greater enjoyment of freedom. Man's desire for peace lies behind this declaration. The realization that the flagrant violation of human rights by Nazi and Fascist countries sowed the seeds of the last world war has supplied the impetus for the work which brings us to the moment of achievement here today.

¹ Made on Dec. 9, 1948, and released to the press on the same date. For related material see *Progress Report on Human Rights* (Department of State pub. 3262) and *An International Bill of Human Rights* (Department of State pub. 3055).

In a recent speech in Canada, Gladstone Murray said:

"The central fact is that man is fundamentally a moral being, that the light we have is imperfect does not matter so long as we are always trying to improve it . . . we are equal in sharing the moral freedom that distinguishes us as men. Man's status makes each individual an end in himself. No man is by nature simply the servant of the state or of another man . . . the ideal and fact of freedom—and not technology—are the true distinguishing marks of our civilization."

This declaration is based upon the spiritual fact that man must have freedom in which to develop his full stature and through common effort to raise the level of human dignity. We have much to do to fully achieve and to assure the rights set forth in this declaration. But having them put before

us with the moral backing of 58 nations will be a great step forward.

As we here bring to fruition our labors on the Declaration of Human Rights, we must at the same time rededicate ourselves to the unfinished task which lies before us. We can now move on with new courage and inspiration to the completion of an international covenant on human rights and of measures for the implementation of human rights.

In conclusion I feel that I cannot do better than to repeat the call to action by Secretary Marshall in his opening statement to this Assembly:

"Let this third regular session of the General Assembly approve by an overwhelming majority the Declaration of Human Rights as a standard of conduct for all; and let us, as Members of the United Nations, conscious of our own shortcomings and imperfections, join our effort in good faith to live up to this high standard."

TEXT OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS

PREAMBLE

WHEREAS recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

WHEREAS disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people.

WHEREAS it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

WHEREAS it is essential to promote the development of friendly relations between nations,

WHEREAS the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

WHEREAS member states have pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

WHEREAS a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge

¹ Approved by Committee III on Dec. 6, 1948.

Now therefore

The General Assembly

Proclaims this universal declaration of human rights as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of member states themselves and among the peoples of territories under their jurisdiction.

ARTICLE 1. All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

ARTICLE 2. 1. Everyone is entitled to all the rights and freedoms set forth in this declaration without discrimination of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

2. Furthermore no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

ARTICLE 3. Everyone has the right to life, liberty and the security of person.

ARTICLE 4. No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

ARTICLE 5. No one shall be subjected to torture

or to cruel, inhuman or degrading treatment or punishment.

ARTICLE 6. Everyone has the right to recognition everywhere as a person before the law.

ARTICLE 7. All are equal before the law and are entitled without any discrimination to equal protection of the laws. All are entitled to equal protection against any discrimination in violation of his declaration and against any incitement to such discrimination.

ARTICLE 8. Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

ARTICLE 9. No one shall be subjected to arbitrary arrest, detention or exile.

ARTICLE 10. Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

ARTICLE 11. 1. Everyone charged with a penal offense has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defense.

2. No one shall be held guilty of any penal offense on account of any act or omission which did not constitute a penal offense, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offense was committed.

ARTICLE 12. No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honor and reputation. Everyone has the right to the protection of the law against such interference or attacks.

ARTICLE 13. 1. Everyone has the right to freedom of movement and residence within the borders of each state.

2. Everyone has the right to leave any country, including his own, and to return to his country.

ARTICLE 14. 1. Everyone has the right to seek and to enjoy in other countries asylum from persecution.

2. This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

ARTICLE 15. 1. Everyone has the right to a nationality.

2. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

ARTICLE 16. 1. Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.

2. Marriage shall be entered into only with the free and full consent of the intending spouses.

3. The family is the natural and fundamental group unit of society and is entitled to protection by society and the state.

ARTICLE 17. 1. Everyone has the right to own property alone as well as in association with others.

2. No one shall be arbitrarily deprived of his property.

ARTICLE 18. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

ARTICLE 19. Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

ARTICLE 20. 1. Everyone has the right to freedom of peaceful assembly and association.

2. No one may be compelled to belong to an association.

ARTICLE 21. 1. Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

2. Everyone has the right of equal access to public service in his country.

3. The will of the people shall be the basis of authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

ARTICLE 22. Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international cooperation and in accordance with the organization and resources of each state, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

ARTICLE 23. 1. Everyone has the right to work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment.

2. Everyone, without any discrimination, has the right to equal pay for equal work.

3. Everyone who works has the right to just and favorable remuneration insuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.

4. Everyone has the right to form and to join trade unions for the protection of his interests.

ARTICLE 24. Everyone has the right to rest and

THE UNITED NATIONS AND SPECIALIZED AGENCIES

leisure, including reasonable limitation of working hours and periodic holidays with pay.

ARTICLE 25. 1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

2. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

ARTICLE 26. 1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible on the basis of merit.

2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

3. Parents have a prior right to choose the kind of education that shall be given to their children.

ARTICLE 27. 1. Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

2. Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

ARTICLE 28. Everyone is entitled to a social and international order in which the rights and freedoms set forth in this declaration can be fully realized.

ARTICLE 29. 1. Everyone has duties to the community in which alone the free and full development of his personality is possible.

2. In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

3. These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

ARTICLE 30. Nothing in this declaration may be interpreted as implying for any states, groups or persons any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

Closing of General Assembly

*Excerpts From Statement by Ambassador
Warren R. Austin*

On the occasion of the closing of the present session of the General Assembly at Paris, I am convinced that the gains made were appreciable and real. I feel that, by reason of the debates, and the positions taken by 58 nations, the prospects for world peace have improved.

The general issue is more clearly defined to be between a bloc of Soviet States, and the great majority of Members of the United Nations, which are determined to keep their peoples free, and to preserve the blessings of liberty. It is not convincing, after repeated and consistent majority decisions with only the Communist bloc for opposing minority, to assert that the issue is between the United States and the U.S.S.R. The probability of war is reduced by the recognition and consolidation of the facts. The possibility of agreement is increased by knowledge of where we stand.

The Charter expressly bases security upon collective action, and provides for the inherent right of self-defense collectively, as well as severally. The unity by agreement of all peace-loving states in the General Assembly on all the major policies put in issue, is a condition in world politics tending to prevent aggression. This is solid gain toward pacific methods of settlement of disputes.

Ad Hoc Political Committee Resolution on Admission of New Members¹

RECALLING that eight members of the Security Council in August 1947 supported a draft resolution recommending the admission to the United Nations of Austria, at such time and under such conditions as the General Assembly might deem appropriate, but that no recommendation was made to the Assembly because of the opposition of one of the permanent members; * * * and

RECALLING resolution 113 (II) H of 17 November 1947 requesting the Security Council to reconsider the application of Austria; and

NOTING from the report of the Security Council that, since none of its members has changed its decision with regard to this application, the Security Council has adjourned its discussion on the matter indefinitely;

The General Assembly

Reiterates its opinion that Austria is a peace-loving State within the meaning of Article 4 of the Charter, and consequently

Requests the Security Council to reconsider the application of Austria, in the light of this expression of opinion of the Assembly and of the advisory opinion of the International Court of Justice of 28 May 1948.

¹ Excerpts from U.N. doc. A/AC. 24/30, Nov. 27, 1948; adopted by Ad Hoc Committee on Nov. 27.

General Assembly Adopts Convention on Genocide

STATEMENT BY ERNEST A. GROSS¹

Alternate U.S. Representative to the General Assembly

The draft convention on genocide which is now before this Assembly is the end product of two years of careful and arduous work. It will be recalled that in December 1946 the General Assembly, by unanimous vote, affirmed that genocide is a crime under international law which the civilized world condemns and for the commission of which principals and accomplices are punishable. The unanimous vote in the General Assembly on this matter in itself reflected the determination of the peoples of the United Nations, whatever their race, creed, or nationality, to assure that the barbarism which had so recently shocked the conscience of mankind would never again take place.

The General Assembly in 1946 called for the preparation of a convention on genocide which would define the offense more precisely and provide enforcement procedures for its repression and punishment. The draft of such a convention, prepared initially by an *ad hoc* committee of the United Nations, has been patiently and exhaustively discussed by the Sixth Committee of this Assembly. The United States Delegation is prepared to sign the convention, representing the fruits of the labor of the Sixth Committee and confidently hopes that all member states will do likewise.

It seems to the United States Delegation that in a world beset by many problems and great difficulties, we should proceed with this convention before the memory of recent horrifying genocidal acts has faded from the minds and conscience of man. Positive action must be taken now. My Government is eager to see a genocide convention adopted at this session of the Assembly and signed by all member states before we quit our labors here.

The denial of the right of existence of entire human groups is the subject matter with which this convention deals. The task of the legal committee has been to reduce to specific and workable terms the general objective of outlawing actions which have that purpose and effect. The convention responds to the recommendations of the General Assembly in its resolution of December 11, 1946, that international cooperation be organized between states with a view to facilitating the speedy prevention and punishment of the crime of genocide. The United States Government has been one of many which have been honored to cooperate in this work. In our view, the draft convention provides a basis upon which all members of the United Nations may agree.

At the conclusion of the labors of the Sixth Committee the Delegate of the Soviet Union announced the intention of his delegation to propose upon the floor of the General Assembly amendments to the draft convention. On behalf of the United States Delegation, I voiced our concern, and indeed alarm, at this procedure. Certain delegations, including my own, which believed that improvements could be made in the draft convention prior to its final adoption by the Sixth Committee, moved the Committee for reconsideration of certain articles of the convention. Amendments to the draft were made only after the committee, by a two-thirds vote, had agreed to reconsider the points involved.

The Delegate of the Soviet Union strenuously objected when these proposals for reconsideration were made and the Soviet Delegate did not himself move for reconsideration of any of the provisions of the draft convention. The grounds upon which the Soviet Delegate objected to efforts to obtain reconsideration of certain matters in the convention were that the points had been fully debated, had been resolved by the committee, and should not be reopened. Therefore, his failure to submit any proposals for reconsideration by the committee was, I think, very properly understood by members of the committee as indicating that there were no changes in the draft convention which the Soviet Delegation desired to bring to the attention of the Sixth Committee for reconsideration and action. Accordingly, the members of the Committee, who had labored for many weeks in the preparation of the draft convention, were deprived of an opportunity to consider and debate any matters which the Soviet Delegation considered relevant to a request for reconsideration.

The United States Delegation believes, and respectfully submits to the members of the Assembly, that the course now adopted by the Soviet Delegation of proposing amendments upon the floor of the General Assembly is a procedure which is bound to have obstructive consequences. Although, of course, the Soviet Delegation is acting within its formal rights in taking this action, such a procedure threatens to reopen in the full body of the General Assembly, the whole debate upon issues which were carefully considered and re-

¹ Made before the General Assembly on Dec. 9, 1948, and released to the press on the same date. Mr. Gross is Legal Adviser to the Secretary of State.

solved in weeks of effort in the Sixth Committee. My delegation feels that it is its duty to call this to the attention of the Assembly and to express the hope that we will not be led into reargument of these complex questions in this forum.

I conclude my remarks by again expressing the

hope that the draft convention in the form in which it has been submitted by the Sixth Committee will receive the unanimous support of all member states and that the convention will be signed prior to the rising of this part of the third regular session of the General Assembly.

RESOLUTION OF APPROVAL AND TEXT OF CONVENTION²

The General Assembly,
Approves the annexed convention on the prevention and punishment of the crime of genocide and proposes it for signature and ratification or accession in accordance with its Article XI.

ANNEX

Convention on the prevention and punishment of the crime of genocide

The contracting parties,

HAVING CONSIDERED the declaration made by the General Assembly of the United Nations in its resolution 96 (1) dated 11 December 1946 that genocide is a crime under international law, contrary to the spirit and aims of the United Nations and condemned by the civilized world;

RECOGNIZING that at all periods of history genocide has inflicted great losses on humanity; and

BEING CONVINCED that, in order to liberate mankind from such an odious scourge, international cooperation is required;

Hereby agree as hereinafter provided:

ARTICLE I, The contracting parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish.

ARTICLE II, In the present convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group.

ARTICLE III, The following acts shall be punishable:

- (a) Genocide;
- (b) Conspiracy to commit genocide;

² Adopted on Dec. 9, 1948 (U.N. doc. A/760, Dec. 6, 1948); printed from telegraphic text.

(c) Direct and public incitement to commit genocide;

(d) Attempt to commit genocide;

(e) Complicity in genocide.

ARTICLE IV, Persons committing genocide or any of the other acts enumerated in Article III shall be punished, whether they are constitutionally responsible rulers, public officials, private individuals.

ARTICLE V, The contracting parties undertake to enact, in accordance with their respective constitutions, the necessary legislation to give effect to the provisions of the present convention and, in particular, to provide effective penalties for persons guilty of genocide or any of the other acts enumerated in Article III.

ARTICLE VI, Persons charged with genocide or any of the other acts enumerated in Article III shall be tried by a competent tribunal of the state in the territory of which the act was committed, or by such international penal tribunal as may have jurisdiction with respect to those contracting parties which shall have accepted its jurisdiction.

ARTICLE VII, Genocide and the other acts enumerated in Article III shall not be considered as political crimes for the purpose of extradition.

The contracting parties pledge themselves in such cases to grant extradition in accordance with their laws and treaties in force.

ARTICLE VIII, Any contracting party may call upon the competent organs of the United Nations to take such action under the Charter of the United Nations as they consider appropriate for the prevention and suppression of acts of genocide or any of the other acts enumerated in Article III.

ARTICLE IX, Disputes between the contracting parties relating to the interpretation, application or fulfillment of the present convention, including those relating to the responsibility of a state for genocide or any of the other acts enumerated in Article III, shall be submitted to the International Court of Justice at the request of any of the parties to the dispute.

ARTICLE X, The present convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall bear the date of

ARTICLE XI, The present convention shall be open until 31 December 1949 for signature on be-

half of any member of the United Nations and of any non-member state to which an invitation to sign has been addressed by the General Assembly.

The present convention shall be ratified, and the instruments of ratification shall be deposited with the Secretary General of the United Nations.

After 1 January 1950 the present convention may be acceded to on behalf of any member of the United Nations and of any non-member state which has received an invitation as aforesaid.

Instruments of accession shall be deposited with the Secretary General of the United Nations.

ARTICLE XII, Any contracting party may at any time, by notification addressed to the Secretary General of the United Nations, extend the application of the present convention to all or any of the territories for the conduct of whose foreign relations that contracting party is responsible.

ARTICLE XIII, On the day when the first 20 instruments of ratification or accession have been deposited, the Secretary General shall draw up a *procès-verbal* and transmit a copy of it to each member of the United Nations and to each of the non-member states contemplated in Article XI.

The present convention shall come into force on the 90th day following the date of deposit of the 20th instrument of ratification or accession.

Any ratification or accession effected subsequent to the latter date shall become effective on the 90th day following the deposit of the instrument of ratification or accession.

ARTICLE XIV, The present convention shall remain in effect for a period of ten years as from the date of its coming into force.

It shall thereafter remain in force for successive periods of five years for such contracting parties as have not denounced it at least six months before the expiration of the current period.

Denunciation shall be effected by a written notification addressed to the Secretary General of the United Nations.

ARTICLE XV, If, as a result of denunciations, the number of parties to the present convention should become less than 16, the convention shall cease to be in force as from the date on which the last of these denunciations shall become effective.

ARTICLE XVI, A request for the revision of the present convention may be made at any time by any contracting party by means of a notification in writing addressed to the Secretary General.

The General Assembly shall decide upon the steps, if any, to be taken in respect of such request.

ARTICLE XVII, The Secretary General of the United Nations shall notify all members of the United Nations and the non-member states contemplated in Article XI of the following:

(a) Signatures, ratifications and accessions received in accordance with Article XI;

(b) Notifications received in accordance with Article XII;

(c) The date upon which the present convention comes into force in accordance with Article XIII;

(d) Denunciations received in accordance with Article XIV;

(e) The abrogation of the convention in accordance with Article XV;

(f) Notifications received in accordance with Article XVI.

ARTICLE XVIII, The original of the present convention shall be deposited in the archives of the United Nations.

A certified copy of the convention shall be transmitted to all members of the United Nations and to the non-member states contemplated in Article XI.

ARTICLE XIX, The present convention shall be registered by the Secretary General of the United Nations on the date of its coming into force.

[ANNEX] B

Resolution relating to the study by the International Law Commission of the question of an international criminal jurisdiction.

The General Assembly,

CONSIDERING that the discussion of the convention on the prevention and punishment of the crime of genocide has raised the question of the desirability and possibility of having persons charged with genocide tried by a competent international tribunal,

CONSIDERING that, in the course of development of the international community, there will be an increasing need of an international judicial organ for the trial of certain crimes under international law,

Invites the International Law Commission to study the desirability and possibility of establishing an international judicial organ for the trial of persons charged with genocide or other crimes over which jurisdiction will be conferred upon that organ by international conventions;

Requests the International Law Commission in carrying out this task to pay attention to the possibility of establishing a criminal chamber of the International Court of Justice.

[ANNEX] C

Resolution relating to the application of the convention on the prevention and punishment of the crime of genocide with respect to dependent territories.

The General Assembly recommends that parties to the convention on the prevention and punishment of the crime of genocide which administer dependent territories, should take such measures as are necessary and feasible to enable the provisions of the convention to be extended to those territories as soon as possible.

U.S. Urges Continuation of Temporary Commission on Korea

STATEMENT BY JOHN FOSTER DULLES IN COMMITTEE I¹

Acting Chairman, U.S. Delegation to the General Assembly

This committee now takes in hand the matter of securing the independence of Korea.² That is a momentous task and it is an exciting task—for it is a task of creation. Five years ago the war victors promised independence and unity to the 30 million people of Korea. But, as in other cases, the victors have not been able to redeem their promises, so the United Nations has had to take up the task.

Last year we made a good beginning. Then, this Assembly voted, 43 to 0 with 6 abstentions, to establish a United Nations Temporary Commission on Korea. It was given a mandate to consult, on our behalf, with the "elected representatives of the Korean people" and "to observe that the Korean representatives are in fact duly elected by the Korean people and not mere military appointees in Korea". The commission was also authorized to supervise the establishment of a Korean Government, on the basis of elections to a national assembly, which, in turn, would establish a national government. That government, it was contemplated, would set up its own national security forces; would dissolve all military or semi-military formations not included therein; take over the functions of government from the military commands and civilian authorities of north and south Korea and arrange with the occupying powers for the complete withdrawal from Korea of their armed forces. Thus, independence would become a reality.

The members of the commission have worked well and hard under most difficult conditions. We now have before us their reports and we have heard from their rapporteur. We also have the report of the Interim Committee regarding its consultation in February of this year with the United Nations Temporary Commission on Korea.

The reports are in certain respects most gratifying. In other respects they are disheartening. The disheartening feature of the reports, to mention them first, is that in the area of Korea north of the 38th parallel, which constitutes the Soviet zone of occupation, the United Nations commission was defied. It was not permitted to "travel, observe, and consult" as the Assembly requested. It was, indeed, excluded and not allowed to assure that free elections would be held and the people of that area permitted to participate in the formation of a national government. Instead, it seems

that in the darkness of that area, closed to United Nations observation, there has been brought into being a Communist-controlled regime that asserts pretensions to govern all Korea and that threatens to back those pretensions by force and violence. Already it has incited acts of terrorism and cruelty that shock all decent people. Yet that regime, born in obscurity, in defiance of the United Nations, has been recognized by three member states—the Soviet Union, Czechoslovakia, and Poland, and is, it seems, supported morally and materially by the forces in north Korea of the Soviet Union.

It is for the Korean people a dreadful thing that after forty years of oppression from Japan they should now be threatened with new violence and terrorism from the north. It is for the United Nations a disheartening and a disturbing fact that recommendations of this Assembly, adopted by a vote of 43 to 0, should be flouted by some of our Members. This Assembly should not, indeed it cannot, conceal the gravity of that situation, not alone for Korea, but for the United Nations itself.

That is the somber aspect of the problem. There is, however, another and brighter aspect. South of the 38th parallel, where two thirds of the Korean people reside, the United Nations commission was given every facility to travel, observe, and consult as requested by this Assembly. Furthermore, under the auspices of the commission, elections were held which constituted a magnificent demonstration of the capacity of the Korean people to establish a representative and responsible government. Despite widespread efforts to confuse and to intimidate, despite the actual murder of many would-be voters, approximately 80 percent of the eligible voters registered, and of these, approximately 95 percent cast ballots.

The result was a balanced assembly, fairly reflective of the will of the people. The government created by that Assembly is now in authority; it is consolidating its position; it is building up security forces and local constabulary; it is maintaining law and order despite the efforts of some subversive elements; it is developing the economy of the country, and in that connection it is receiving, and will continue to receive, substantial economic aid from Members of the United Nations.

¹ Made on Dec. 7, 1948, and released to the press on the same date.

² See *Korea 1945 to 1948* (Department of State publication 3305).

In sum, there has been established a lawful government having effective control and jurisdiction over that part of Korea where the United Nations Temporary Commission was able to observe and consult, and in which the great majority of the people of Korea reside. That government was based on elections which were a valid expression of the free will of the electorate in that part of Korea and it is the only such government in Korea.

The United Nations can be proud of its efforts and of the response of the Korean people, who have shown that, given the opportunity, they are willing and able to help themselves.

We shall, no doubt, hear repeated last year's glowing statements about conditions in north Korea which our commission was prevented from observing. The unknown can always be made to appear glamorous, and that is perhaps why north Korea is a forbidden land so far as United Nations observation is concerned. It would, however, be irresponsible for this committee to depend upon the reports of those who refused to permit of verification by the United Nations commission sent out to Korea for that purpose. We do have data, independently verified by our United Nations commission, that show that there has now come into being, through a cooperative effort of the United Nations and the Korean people, a government under whose auspices the Korean people may at last realize their oft-promised independence and unity.

It is, of course, obvious that neither independence nor unity are yet fully achieved and the United Nations cannot consider its task completed. Further measures are required of us.

First of all, the United Nations ought to put the seal of legitimacy on what has been done under its auspices. The government of the Republic of Korea needs that in order to maintain its prestige and authority at home and abroad. It would, indeed, be unthinkable that the United Nations should in any way disown the consequences of its own creative program.

In the second place, we believe that the United Nations should continue a commission on Korea in order to help the new government of Korea to end the wartime military occupation of Korea. There ought to be an observed withdrawal of occupation forces from all Korea as soon as practical. And that withdrawal should be a reality so complete and thorough that, in fact, the Korean people are truly the masters in their own home and not ruled or terrorized by elements that take their orders from without.

In the third place, we believe that the United Nations commission should help the Korean people to reunite and to end the economic dislocations, the fears of civil war, that now gravely disturb the life of the people. As in the case of Greece, Communist elements seek, by violence, to impose their will, and there is danger that these efforts

will be supported in one form or another by neighboring Communist regimes. The presence of a United Nations commission with authority to observe will deter organized violence and tend to assure that the peoples of north and south Korea and their neighbors will, in the words of the charter, "practice tolerance and live together in peace with one another as good neighbors." We also believe the United Nations commission may be able through good offices to help break down peacefully the barrier to friendly intercourse caused by the present division of Korea.

The Governments of Australia, China, and the United States are submitting to this committee a draft resolution that, in our opinion, will enable the United Nations to move forward along these lines. I hope that that resolution will receive overwhelming support. It should, because the principle involved protects not only Korea, but all of us. The United Nations here faces a familiar pattern. We see violence, terrorism, and internal division being stimulated from without by those who hope thereby to gain international objectives.

Every non-Communist government in the world is, to a greater or lesser extent, subject to these tactics.

There is one elemental defense, and that is, through the United Nations, to evidence at least a moral solidarity with those who in violation of our Charter are subjected to such threats of violence.

A distinguished representative of one of the Communist states said a few days ago before the plenary assembly, "we know that we are hated because of our form of government." That is not the case. What are hated are the methods of coercion, terrorism, and violence that are often employed by Communist governments and taught to party members. It may be that the greatest service that the United Nations can render is to be the instrumentality for demonstrating that whenever those methods are used or threatened internationally, the rest of the world community closes ranks to prevent the success of these methods by whatever peaceful means are available either to the United Nations as an organization or to Member States acting pursuant to the Charter.

If that happens, then it may be learned that the use of force, coercion, terrorism, and violence to achieve international objectives has consequences such that those methods cease to be expedient. That, in turn, may lead all the member nations to respect their Charter undertaking to refrain in their international relations from the threat or use of force. Therein lies, in my opinion, the greatest hope of peace. So, in the interest of Korean independence, and also in the interest of the independence of each of us, let us demonstrate here solidarity with the newly formed but already threatened Government of the Republic of Korea.

TEXT OF JOINT RESOLUTION³

The General Assembly,

HAVING REGARD to its resolution No. 112 of November 14, 1947, concerning the problem of the independence of Korea;

HAVING CONSIDERED the report of the United Nations Temporary Commission on Korea (hereinafter referred to as the "Temporary Commission"), and the report of the Interim Committee regarding its consultation with the Temporary Commission;

Mindful of the fact that due to difficulties referred to in the report of the Temporary Commission, the objectives set forth in the resolution of November 14, 1947, have not been fully accomplished; and in particular that unification in Korea has not yet been achieved:

(1) *Approves* the conclusions of the reports of the Temporary Commission;

(2) *Declares* that there has been established a lawful government (the Government of the Republic of Korea), having effective control and jurisdiction over that part of Korea where the Temporary Commission was able to observe and consult and in which the great majority of the people of all Korea reside; that this Government is based on elections which were a valid expression of the free will of the electorate of that part of Korea and which were observed by the Temporary Commission; and that this is the only such Government in Korea;

(3) *Recommends* that the occupying powers withdraw their occupation forces from Korea as early as practicable;

(4) *Resolves* that, as a means to the full accomplishment of the objectives set forth in the resolution of November 14, 1947, a commission on Korea consisting of ----- be established to continue the work of the Temporary Commission and carry out the provisions of the present resolution, having in mind the status of the Government of the Republic of Korea as herein defined, and in particular to:

A. Lend its good offices to bring about the unification of Korea and the integration of all Korean security forces in accordance with the principles laid down by the General Assembly in the Resolution of November 14, 1947;

B. Seek to facilitate the removal of barriers to economic, social, and other friendly intercourse caused by the division of Korea;

³ Introduced by the U.S., China, and Australia in Committee I on Dec. 6, 1948, and adopted by the General Assembly on Dec. 1, 1948 (U. N. doc. A/788).

C. Be available for observation and consultation in the further development of representative government based on the freely expressed will of the people;

D. Observe the actual withdrawal of the occupying forces and verify the fact of withdrawal when such has occurred; and for this purpose, if so desires, request the assistance of military experts of the two occupying powers;

(5) *Decides* that the Commission:

A. Shall, within thirty days of the adoption of this resolution, proceed to Korea, where it shall maintain its seat;

B. Shall be regarded as having superseded the Temporary Commission established by the resolution of November 14, 1947;

C. Is authorized to travel, consult and observe throughout Korea;

D. Shall determine its own procedures;

E. May consult with the Interim Committee with respect to the discharge of its duties in the light of developments and within the terms of this resolution;

F. Shall render a report to the next regular session of the General Assembly and to any prior special session which might be called to consider the subject matter of this resolution, and shall render such interim reports as it may deem appropriate to the Secretary-General for distribution to Members;

(6) *Requests* that the Secretary-General provide the commission with adequate staff and facilities, including technical advisers as required; and authorizes the Secretary-General to pay the expenses and per diem of a representative and an alternate from each of the States Members of the commission;

(7) *Calls* upon Member States concerned, the Government of the Republic of Korea, and the Koreans to afford every assistance and facility to the commission in the fulfillment of its responsibilities;

(8) *Calls* upon Member States to refrain from any acts derogatory to the results achieved and to be achieved by the United Nations in bringing about the complete independence and unity of Korea;

(9) *Recommends* that Member States and other nations, in establishing their relations with the Government of Korea, take into consideration the facts set out in paragraph (2) of this resolution.

U.S. Position on Unanimity Principle of the Charter

STATEMENT BY BENJAMIN V. COHEN IN AD HOC COMMITTEE¹

Alternate U.S. Representative to the General Assembly

The question has been raised as to the basic attitude of the United States toward the Charter. I scarcely need reaffirm that the United States stands by the Charter and that the policy of the United States is to work under the Charter and to exert every effort to make the Charter work as it was intended to work.

There are certain obligations imposed by the Charter upon all members of the United Nations, and there is no right of veto granted by the Charter which gives any member the right to qualify, evade, or violate those obligations. For example, under article 2, all members are obligated to settle their disputes by peaceful means and to refrain from the threat or use of force against the territorial integrity or political independence of any state or in any other manner inconsistent with the purposes of the United Nations. A permanent member of the Security Council does not avoid these obligations by casting a negative vote. The law of the Charter, and the right of members to defend the law of the Charter, cannot be nullified by a veto.

The fundamental obligations imposed by the Charter are a part of the law of nations. There may be honest differences of opinion among the members as to the application of this law, which is embodied in the Charter. But such differences must rest upon something more than the arbitrary will of a member state. The Charter in article 2 expressly requires every member to fulfil its obligations in good faith.

If a permanent member forcibly destroys the political independence of a neighboring state, would anyone seriously contend that the Charter gave that member the right to nullify the law of the Charter through exercise of the veto? The veto cannot deprive members of the right to defend themselves, nor take away the right of other members to come to their aid in defense of the Charter.

If we agree that the Charter cannot and should not be nullified by the arbitrary exercise of veto, then we should welcome and not spurn efforts to promote agreement among the permanent members as to the proper application of the law of the Charter and as to the exercise of their voting privileges. Recognizing that the standards available to govern our decisions in many cases are somewhat indefinite, the United States at Dumbarton Oaks and San Francisco accepted the

principle of unanimity among the permanent members as a means of developing and making more certain the law of the Charter. It was then thought impractical to make, on any other basis, many important decisions affecting international peace and security, particularly those involving obligatory participation in enforcement action.

But we accepted the principle of unanimity as a means and not an end, and we insisted that the Charter should not permit a permanent member of the Security Council to be a judge in a dispute to which it was a party. The suggestion of President Roosevelt, to which several of the Soviet speakers have referred, was an effort to reconcile the ideas advanced by the United States at Dumbarton Oaks with the unqualified acceptance of the unanimity principle urged by the Soviet Union.

We are not attempting in the joint draft resolution to alter the unanimity principle as it was incorporated in the Charter. We are trying to find ways and means of making the unanimity principle work. The working of the unanimity principle requires an honest and good faith effort on the part of the permanent members to reconcile and reduce to a minimum their differences. Such an effort should make possible agreement on those essentials necessary to vindicate our common interests in peace and security.

The unanimity principle must not be confused with the practice of veto. As the Representative of the United Kingdom has indicated, the unanimity principle is not a matter of voting but is the spirit of understanding and tolerance that makes action possible even without the need of a formal vote. The practice of veto is the very reverse of the unanimity principle. The veto does not fulfil but frustrate the unanimity principle. The veto, instead of leading to agreement and accord, heightens and aggravates differences and conflicts. It contributes to wars of nerves, cold wars, the unforeseeable situations which may get beyond the control of any of the parties and threaten the peace of the whole world.

We cannot accept the idea that, if unanimity fails, the will of one, however arbitrary, prevails over the will of many, however reasonable. We want a united front, but how, pray, can we have a united front when it is offered to us only on

¹ Made on Dec. 2, 1948, and released to the press by the U.S. Delegation to the General Assembly on the same date.

condition that we accept the will of the most intransigent member?

Much has been said in the debate of the Four Power statement at San Francisco.² This was a statement, not a contract. It was not made a part of the Charter, or adopted, or accepted by the Members when they ratified the Charter in accordance with their constitutional processes. It was not more nor less than it purported by its words to be: a statement by the Four Powers of "their general attitude toward the whole question of unanimity of permanent members in the decisions of the Security Council". If it were proper for them to make such a statement of their attitude at San Francisco, in light of their work on and study of the draft Charter, it should be equally proper for the permanent members to make a restatement of their attitude in light of the experience derived from working under the Charter. If it would be proper for the permanent members of the Security Council to make such a statement, it is equally proper for the General Assembly to recommend to the permanent members how, in the opinion of the Assembly, in the light of experience, the principle of unanimity should be given effect in order to carry out the purposes and principles of the Charter.

The Four Power statement of San Francisco indicated that certain designated questions should be regarded as procedural. The statement made it clear that the enumeration of procedural questions which it contained was not exclusive. It is not, in our judgment, improper or inconsistent with our obligations under the Charter or under our commitments to other nations to suggest, as was suggested by the Interim Committee and as is proposed in the joint draft resolution, that the Assembly should recommend to the Security Council that designated questions which in the judgment of the Assembly are procedural should be so treated by the Security Council.

The Four Power statement indicated that it was not expected that there would arise matters of great importance on which a decision would have to be made as to whether a procedural vote would apply. Experience has shown that these optimistic expectations have not been realized. It is hoped therefore that the joint draft resolution may be of genuine assistance to the Security Council.

Reference has been made to the fact that the Four Power statement at San Francisco expresses the view that should the question arise whether or not a matter is procedural, that question should be decided by a vote of seven, including the concurring votes of the permanent members. This certainly does not preclude advance agreement as to what questions are properly deemed procedural. Nor does the statement attempt to deal with the procedure which should be followed if the perma-

nent members do not agree, as they should agree, as to whether a question is procedural or nonprocedural. The statement does not say that a question should be deemed nonprocedural when only one of the permanent members so regards it. Such a position would be indefensible.

The Four Power statement further said that it was not to be assumed that the permanent members would use their privileged vote "wilfully to obstruct the operation of the Council". This is an express recognition by the powers participating in the statement that self-restraint on the part of the permanent members may rightly be expected and that such self-restraint is necessary if the Charter is to function as it was intended. If this be true, as the United States Delegation believes, it would seem quite proper for the Assembly, in light of experience, to recommend to the permanent members that if they are unable to achieve unanimity among themselves on certain matters not immediately involving their vital interests they should agree among themselves not to exercise the veto on these matters but to accept the decision reached by not less than seven members of the Security Council.

We believe that it is proper for the Assembly to submit a list of such matters for the permanent members to consider in reaching an agreement among themselves as to the questions with respect to which they might forego the exercise of their right of veto. This part of the resolution does not limit the rights of the permanent members of the Security Council under the Charter; it is only a recommendation to them as to how their rights should be exercised by agreement among themselves. It certainly in no way amends the Charter directly or indirectly.

If the smaller powers can, as they have, subjected themselves to obey the decisions of the Security Council in matters which vitally concern them without any right of veto, surely the larger powers can agree not to use the veto on mere procedural matters or on matters which, though of substantive character, do not involve their vital interests.

The United States Delegation believed that it was necessary to make these further explanations of the joint draft resolution, and we hope that they have served also to answer the question put by the Representative of New Zealand.

Just a few more words on our preliminary reaction to the draft resolution circulated by the Soviet Union this morning. We find nothing in substance in the Soviet proposal that is not included in the third paragraph of our joint resolution regarding the need for continuing consultations among the permanent members. My Delegation is in agreement with much of the statements contained in the recitals to the draft. Certainly we should strive further to strengthen the authority of the United Nations in accordance with the prin-

² BULLETIN of June 10, 1945, p. 1047.

ciples of the Charter. All of us agree that we should combine our efforts for the development of friendly relations among nations. We are also opposed to unnecessary regulation and formalism in the activities of the organs of the United Nations. But if such expressions in the Soviet resolution are intended to belittle the efforts of the Interim Committee to develop standards and

practices which may be helpful as guides to the Security Council, we cannot agree.

We regret that we cannot share the confidence expressed in the Soviet resolution that the Security Council will function better in the future than in the past unless there is much better understanding among the permanent members as to how it should function.

The United States in the United Nations

[December 11-18]

Conciliation Commission

The General Assembly in its closing session on December 11 adopted an amended British resolution for establishment of a three-member Conciliation Commission to assist Arabs and Jews in negotiating a Palestine settlement. Vote on the proposal was 35 to 15, with 8 abstentions.

A seven-nation amendment approved before the final ballot eliminated all references in the resolution to both the original partition plan and the Bernadotte proposals as the basis for a boundary agreement.

The Soviet bloc, the Arab states, Cuba, and Afghanistan opposed the Palestine resolution. Nations abstaining were Bolivia, Burma, Chile, Costa Rica, Guatemala, India, Iran, and Mexico.

The Commission, under the terms of a French amendment adopted on December 11, will be appointed by the Big Five powers.

The Commission will take over the work of acting Palestine mediator Bunche, and, if the Security Council so requests, the truce machinery in the Holy Land.

Israeli

Membership

Israel failed on December 17 in its effort to become a member of the United Nations when its application lacked two votes of getting the required majority of seven in the Security Council in Paris.

Five nations voted for admission of the new Jewish state. They were the United States, the U.S.S.R., the Ukrainian S.S.R., Argentina, and Colombia. Only Syria was opposed. Canada, Belgium, France, China, and the United Kingdom abstained.

The vote came after Britain had proposed that the Council postpone action on the application indefinitely. This resolution was rejected.

A French suggestion that action on the admission request be deferred for one month and a Syrian proposal that the Palestine partition problem be referred to the International Court of Justice at The Hague for a ruling also were turned down.

Ceylon

Ceylon's application for membership was vetoed in the Security Council by the Soviet Union on December 15 for the second time.

Vote on Ceylon's application was 9 to 2, with the Ukrainian S.S.R. casting the other negative vote. The same vote occurred at Lake Success on August 18 when the Soviet Union first vetoed Ceylon. This action resulted from a resolution approved by the 12 nations, among them Ceylon. Soviet argument was that there was no reason to single out Ceylon from among the nations whose membership applications have been rejected.

Refugees

The International Refugee Organization has announced that during the 16 months ending October 31, a total of 334,743 people made homeless in World War II were returned to their native lands or established in other countries in Europe or abroad.

At the end of October, 551,761 refugees were still receiving IRO care, most of them in IRO assembly centers, and an additional 153,406 refugees living outside IRO camps were getting various degrees of IRO assistance, such as aid in repatriation or resettlement and legal protection.

Human Rights Declaration To Be Publicized

The U.N. Educational, Scientific and Cultural Organization plans to give the widest possible publicity to the Universal Declaration of Human Rights, adopted at the recently concluded Paris session of General Assembly.

UNESCO's effort will involve not only the press and other mass means of communication, but also schools in member countries in connection with their teaching about United Nations activities.

The action was approved at the recent UNESCO conference at Beirut, Lebanon, after Assistant Secretary Allen, head of the U.S. Delegation, called attention to the Assembly's adoption of the rights declaration and emphasized its tremendous significance. Mr. Allen presented a motion urging UNESCO and its member states to help give the

widest possible dissemination of the text and to encourage publicity about the declaration's implications. The resolution was carried by acclamation.

Indonesia

The Good Offices Committee on Indonesia has reported that the outcome of recent Netherlands-Indonesian talks for settlement of their differences has served to aggravate a situation which was already grave.

In a special report from Batavia to the Security Council, made public on December 14, Goc summarized both Dutch and Republican views of the talks which led to the announcement of December 11 from The Hague that the Netherlands would proceed with plans for establishment of an interim federal government in Indonesia outside Republican areas. The Netherlands also said at that time that further negotiations under Goc auspices would be futile.

The report said that such action would greatly complicate any negotiated settlement in the Indies and could create serious unrest. It also stressed concern over the maintenance, in such circumstances, of even the present unsatisfactory level of truce enforcement.

According to the report, the Netherlands informed Goc that basis for agreement with the Republic was fundamentally lacking. Further, the Dutch held as fundamentally irreconcilable Republican and Dutch views on Netherlands sovereignty during the interim period as formulated under last January's Renville agreements.

They further held that Republican refusal to accept Dutch sovereignty had nullified Republican acceptance of proposals for a basis for settlement made last September by the Goc Delegation.

The Netherlands stated, therefore, that it would proceed to set up a federal interim government drafted on the basis of results of consultations with representatives of federal territories. It added, however, that it was leaving open the possibility of future admission of Republican-held areas.

The report also summarized Republican views which charged the Netherlands with making no serious attempt to negotiate a settlement as contrasted with Republican good will which had gone to the limit in offering concessions.

The Republicans further held that Dutch attempts to form an interim government without the Republic, together with their refusal to hold further discussions under Goc, would ignore the Renville agreements, the Goc, and statements the Netherlands Government has made before the Security Council.

The Republic also called upon the Goc to take whatever measures possible to prevail upon the Netherlands Government to come to a peaceful settlement of the dispute, while reiterating Republican willingness to consider reasonable terms.

The report, however, said that the Goc did not foresee the possibility of its bringing the two parties together in *bona fide* negotiations, in light of Netherlands statements, and added that "the committee has no confidence that even the presently unsatisfactory level of truce enforcement can be maintained as the possibility of political agreement becomes more remote. The committee can see in the present situation only an intensification of factors already making for further economic deterioration, general unrest and social upheaval. Widespread hostilities involving conflict or organized groups on a large scale might be the outcome."

ILO

The International Labor Organization's Governing Body in Geneva has added partial revision of four maritime labor conventions adopted at Seattle in 1946 to the agenda of the next Ilo general conference to be held at Geneva in June 1949. By a vote of 23 to 8, it decided to reconsider the conventions on accommodation of crews, wages, hours, and manning.

Among the questions previously approved for the agenda are equal pay for men and women doing work of equal value; minimum wages for agricultural labor; vocational training of adults, including disabled persons; industrial relations, including collective agreements, conciliation, and arbitration; and cooperation between public authorities and organizations for workers and for employers.

In other actions, the Governing Body established a Committee of Social Security Experts to meet first in New Zealand early in 1950; and changed the opening date of Ilo's 1949 American Regional Conference at Montevideo from March 28 to April 25, while deferring British and French requests for representation there until the next Governing Body session.

An important development of the 107th session of the Governing Body, which ended December 11, was the decision to undertake international programs in the fields of job-training, and training and moving workers from countries with manpower excesses to those with shortages. David Morse, Ilo's director-general, stated that he would immediately start drawing up programs of special interest to member nations.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

Report on the First Session of the General Council of IRO

BY GEORGE L. WARREN

The first session of the General Council of the International Refugee Organization met at Geneva from September 13 through September 25, 1948. Upon formal organization of the meeting, the Council elected William Hallam Tuck, of the United States, as Director-General of the International Refugee Organization. Mr. Tuck had previously served as Executive Secretary of the Preparatory Commission for the Iro. During its first session the General Council considered and passed resolutions for the guidance of its Secretariat on questions prepared by the Preparatory Commission, which had operated since July 1, 1947, on behalf of the Iro.

Background

On February 12, 1946, the General Assembly of the United Nations adopted a resolution recommending that the Economic and Social Council establish a committee for the purpose of examining the problem of refugees and displaced persons in all its aspects. Pursuant to this recommendation the Economic and Social Council on February 16, 1946, established by resolution a Special Committee on Refugees and Displaced Persons. The Committee met in London from April 8 to June 1, 1946, to prepare a report and draft a constitution for a United Nations specialized agency to be known as the International Refugee Organization. Pursuant to a resolution by the Economic and Social Council on June 21, 1946, a Special Committee on the Finances of the International Refugee Organization met in London during July 1946, to prepare a draft provisional budget for the first financial year of the Iro. The Economic and Social Council gave final approval of the constitution, the provisional budget, an agreement for a Preparatory Commission, and the transmittal of these documents to the General Assembly under a resolution of the Council at its third session. The constitution, the provisional budget for the first financial year, and the agreement on interim measures to be taken in respect of refugees and displaced persons were approved by the General Assembly in December 1946. The agreement on interim measures authorized a Preparatory Commission to lay the groundwork for the Iro until the Organization came into being, and to take over at its discretion the functions of UNRRA and the Intergovernmental

Committee on Refugees with respect to refugees, as these agencies were to cease activities on July 1, 1947. The following 24 governments, which signed the Constitution with or without reservations, composed the Preparatory Commission:

Argentina	Iceland ¹
Australia ¹	Liberia
Belgium ¹	Luxembourg ¹
Bolivia	Netherlands ¹
Brazil	New Zealand ¹
Canada ¹	Norway ¹
China ¹	Panama
Denmark ¹	Peru
Dominican Republic ¹	Philippine Republic
France ¹	United Kingdom ¹
Guatemala ¹	United States ¹
Honduras	Venezuela

The constitution of the Iro was not to come into force until at least 15 states, whose required contributions to part I of the operational budget as set forth in annex II of the constitution totaled not less than 75 percent of the total thereof, had become parties to it. The Secretary-General of the United Nations declared the entry into force of the constitution of the Iro on August 20, 1948, when the fifteenth government presented its ratification of the Constitution. The total percentage of the governments' contributions to the operational budget on that date was 75.96 percent. In consequence, the Preparatory Commission at its final meeting in September 1948 convened the first session of the Iro on September 13, 1948, at Geneva.

Participation

The following member governments were represented at the first session of its General Council:

Australia	Luxembourg
Belgium	Netherlands
Canada	New Zealand
China	Norway
Denmark	United Kingdom
Dominican Republic	United States
France	Venezuela ²
Guatemala	

¹ Each of these Governments had deposited its ratification of the Constitution with the Secretary-General of the United Nations as of Aug. 20, 1948.

² Word was received on Sept. 13, 1948, that Venezuela had deposited its ratification of the constitution with the Secretary-General of the United Nations, making that Government the sixteenth member of Iro.

ACTIVITIES AND DEVELOPMENTS

Not represented: Iceland.

Official observers representing Brazil,³ Italy, Ireland, Switzerland, the Holy See, the United Nations, ILO, and WHO were present. Voluntary agencies and the press were also represented.

The Council was addressed at its opening meetings by Dr. Von Steiger, Chief of the Department of Justice and Police, Bern, Switzerland; Mr. H. Laugier, Assistant Secretary of the United Nations in Charge of Social Affairs; Mr. Boris Shiskin, Labor Adviser of the Economic Cooperation Administration in Europe; Mr. Paul Ruegger, President of the International Committee of the Red Cross; the Honorable Humphrey Mitchell, Canadian Federal Minister for Labor; and Mr. Ugo Carusi, Chairman of the United States Displaced Persons Commission.

Organization of the Session

Mr. Henri Ponsot (France) was elected Chairman of the Council. Dr. Wu Nan-Ju (China) and Dr. P. J. de Kanter (Netherlands) were elected First and Second Vice-Chairman respectively. Mr. J. Schneider (Belgium) was elected Rapporteur. Representatives of those states signatories to the constitution which have not yet ratified their signatures were invited to sit at the Council table as observers and to take part, without vote, in the debates of the Council. The observers from the Governments of Italy and Switzerland indicated the interest of their governments in becoming members of the IRO.

The following nine member governments were elected by the Council to membership on the Executive Committee for two years: Australia, Belgium, Canada, China, France, Norway, United Kingdom, United States, Venezuela.

The United States Delegation

Presidential appointments for the first session of the IRO General Council were: Ambassador Lewis W. Douglas, United States Representative; Mr. Goldthwaite H. Dorr and Mr. George L. Warren, Alternate Representatives. In the absence of Ambassador Douglas, who was unable to attend the session, Mr. Dorr headed the Delegation. Mr. Dorr and Mr. Warren were assisted by Mr. Robert L. Fisher of the Department of the Army; Mr. Alex E. Squadrilli of the Displaced Persons Branch, Civil Affairs Division, EUCOM, Heidelberg; Colonel H. T. Brotherton, Chief, Internal Affairs and Displaced Persons Division, USFA, Vienna; and Miss Eleanor A. Burnett, Administrative Assistant.

³ The Government of Brazil is a signatory to the constitution, but not a member of the organization. The Representative of Brazil had been an active participant in the deliberations of the Preparatory Commission.

Resolutions

The following decisions were among those arrived at by the Council which adopted a total of 30 resolutions at its first session:

1. *Repatriation*: The Council instructed the Director-General to pursue his efforts to ensure the speedy repatriation of all displaced persons who expressed the wish to be repatriated. Each displaced person will continue to be given the opportunity to decide in complete freedom and after receiving full knowledge of the facts, including information supplied by the government of his country of origin, whether or not he wishes to be repatriated. Refugees and displaced persons choosing to return to their countries of origin from the Western zones of Germany and Austria will be given a twenty-day supply of food by IRO as an aid in reestablishment in their home countries.

2. *Resettlement*: In order to resettle approximately 725,000 displaced persons by June 30, 1950, and reduce to a minimum the number of persons who, at the end of the organization's operation, will constitute the non-resettleable hard core, which will require special assistance, the IRO Council instructed the Director-General to approach receiving countries again in order to secure acceptance, not only of displaced persons who will be economic assets, but also of the dependent, aged, and physically handicapped members of their families, and of orphans and other persons without family ties. Stress was also laid on the necessity for receiving intellectuals among the refugees and displaced persons and the importance of permitting these groups to continue to follow their professions in the country of reception.

3. *IRO Budget*: The Council adopted a budget of \$4,797,800 for administrative expenses and \$150,229,258 for operational expenses (except for large-scale resettlement expenses) for the fiscal year July 1, 1948-June 30, 1949. Governments were asked to make every effort to provide voluntary contributions to large scale resettlement expenses. For the succeeding fiscal year (July 1, 1949-June 30, 1950) the Council adopted a budget of \$4,500,000 for administrative expenses and \$150,060,500 for operational expenses (except for large-scale resettlement expenses). These budgets were based on the assumption that by June 30, 1950, the IRO would have repatriated or resettled 825,000 persons. It was recognized that a non-resettleable hard core estimated at 184,000 would remain for whom provision must eventually be made.

4. *Limitations on Care and Maintenance*: IRO will admit new applicants for care and maintenance only if hardship would result were the applicant denied care. This policy continues that laid down by the Preparatory Commission's

"freeze order". Its continuance was considered necessary by the General Council in view of the limits of the budget of the Organization and the Executive Secretary's estimate that 120,000 eligible refugees and displaced persons would request care and maintenance from the Organization if the freeze order were lifted. The Council instructed the Director-General to accord the most liberal interpretation feasible to the term "hardship".

5. *Standards of Care and Maintenance*: A resolution passed by the Council on standards of care and maintenance directed that a diet "necessary to maintain standards of health approved by medical and nutritional authorities" be provided. The Council considered that the diet of the local population in countries where Iro camps are located has now improved sufficiently to permit Iro to maintain adequate food standards without providing a differential as between displaced persons and the local population.

6. *Volksdeutsche*: The Council, after study of a report by its working committee, deferred for future consideration the question of the acceptance as eligible for Iro assistance of several hundred thousand Volksdeutsche in Austria.

7. *International Tracing Service*: The Council asked the Director-General to continue the present activities of the International Tracing Service and instructed him to consider how the tracing of missing persons could be transferred to another organization after the termination of the Iro. The Council also asked the Director-General to coordinate the work of the International Tracing Service with regard to tracing and search of children with the child-welfare programs of the Organization as a whole, and to take appropriate steps for the issuance of notifications of death.

8. *Arab Refugees from Palestine*: One of the most difficult problems facing the General Council was that of the plight of Palestinian refugees. Recognizing the necessity for assistance to such refugees, but recognizing that the resources of the International Refugee Organization are completely inadequate to permit it to relieve their distress, the Council approved the action of the Director-General in the loan of the services of the Director of Supply and Transport to the United Nations Mediator and requested the Director-General to inform the Executive Committee promptly of any action taken by the General Assembly of the United Nations pertaining to assistance to refugees in the Middle East or of any request for any other form of assistance which the Mediator might make to Iro, with a view to enabling the Executive Committee to consider whether any further assistance might be practicable within the

budgetary and constitutional limitations of the Iro.

The Council also adopted resolutions which:

Established the headquarters of the organization at Geneva;

Adopted the rules of procedure as submitted by the Preparatory Commission;

Approved the draft agreement between the Iro and the United Nations;

Transferred the property of the Preparatory Commission to the Iro;

Adopted financial and staff regulations.

The Executive Committee of the International Refugee Organization met again on December 7, 1948, in Rome. The next session of the General Council is scheduled to convene on or about March 29, 1949, in Geneva.

IRO Preparatory Commission: Seventh Session

The Preparatory Commission for the International Refugee Organization met for the seventh part of its first session on Friday, September 10, 1948, in Geneva, concluded its activities, and adjourned on September 11, 1948. Of the 24 member governments the following 15 were represented at the meeting:

Australia	Guatemala
Belgium	Luxembourg
Brazil	Netherlands
Canada	New Zealand
China	Norway
Denmark	United Kingdom
Dominican Republic	United States
France	

The Secretary-General of the United Nations had declared the entry into force of the constitution of the Iro on August 20, 1948. Fifteen governments members of the United Nations had adhered to the constitution of the Iro prior to that date, and the total of their percentage contributions, 75.96 percent, to the operational budget slightly exceeded the 75 percent requirement of the constitution.

In consequence of the announcement of the Secretary-General of the United Nations, the Preparatory Commission convened the first session of the General Council of the Organization for September 13, 1948, at Geneva. The Preparatory Commission also approved staff and financial regulations for the consideration of the General Council, adopted a provisional agenda for the first session of the Council, and took other necessary steps for bringing the Organization into effective operation.

U.S. Suspends Consideration of Proposal for Japanese Deconcentration of Finances and Industry

STATEMENT BY GENERAL FRANK R. MCCOY¹

U.S. Representative on the Far Eastern Commission

Some months ago, my Government suspended its participation in discussions in the Far Eastern Commission of a United States policy proposal which was then under active consideration in the Commission. This proposal, designated as FEC 230,² presented an extremely detailed plan for the implementation of a general policy which already had been stated in existing directives to the Supreme Commander. That policy, which called for the dissolution of certain Japanese combines and a widening in the distribution of the income and ownership of Japanese industry, was then and continues to be, in the view of my Government, a fundamental objective of the occupation.

The action of the United States in suspending consideration of its proposal, however, has led to certain questions among the members of this Commission and among the Japanese people. The purpose of this statement is to clarify the position of the United States with respect to FEC 230.

Since the very first weeks of the occupation, the Supreme Commander has devoted a considerable part of the time and resources of his staff to the problem of reorganizing the financial and industrial institutions of Japan. This program which has been based upon the Post-Surrender Directive issued December 6, 1945, and on the Far Eastern Commission's own Basic Post-Surrender Policy for Japan, was designed to make possible the early development of democratic and peacefully inclined economic institutions in Japan. To bring about that result, plans were immediately developed and put into effect to dissolve the control of Japanese finances and industry which rested in the hands of a few powerful Japanese families.

As a part of this program, the Supreme Commander directed the Japanese Government to adopt various laws and to create certain governmental bodies charged with the responsibility of undertaking a major reorganization of the ownership and control of Japanese industry. In the brief span of three years substantial progress has been made by these bodies. The assets of the 56 persons who comprised the heads of the 10 major

Zaibatsu families and the assets of the 83 holding companies controlled by these persons have been acquired by the Government and are in process of being sold to the Japanese public. A much larger number of companies have been compelled to divest themselves of holdings in and control over smaller enterprises. Such control was exercised through intercorporate stockholdings, interlocking directorates, and similar devices. Contractual arrangements to which these Japanese enterprises were parties which had the effect of placing the control of production or trade in the hands of such enterprises have been declared void. The innumerable control associations through which Japanese enterprises exercised their collective authority are being liquidated. Action is being taken and is well-advanced toward reorganization of former savings banks, trust companies, and governmental banking institutions, making possible the emergence of a significant number of new commercial banks, to compete with and supplement the few large banking combines which formerly dominated Japanese credit sources. Finally, some scores of Japanese companies whose present state may constitute a threat to competitive enterprise are being scrutinized, one by one. Where necessary, these combines will be subjected to such reorganization as may be required to remove the existing threat.

To insure that the dispersion of economic control which is developing from these measures will not likely be reversed in the years to come, substantial revisions have been effected in the basic economic legislation of Japan. To begin with, an antitrust law has been adopted and a Fair Trade Commission set up to enforce the law. In general, the law seeks to restrain the development of new combines, excessively large or powerful, by outlawing agreements which restrain production or trade, by placing limitations upon intercorporate stockholdings, interlocking directorates, and similar devices for the concentration of corporate control, and by setting up procedures and penalties for the enforcement of these provisions. Other legislation now requires Japanese corporations to make considerably more information available to their stockholders and the public than heretofore has been the case and generally requires the management of corporations to adhere to much higher

¹ Made to the Commission on Dec. 9, 1948, and released to the press on the same date. General McCoy is chairman of the Commission.

² Not printed.

standards of public responsibility in the management of their enterprise.

Moreover, many existing laws which tended to centralize the control of Japanese industry within a small group have been abrogated outright. Others have been modified drastically. The Fair Trade Commission and other Government agencies are analyzing still other Japanese laws to eliminate provisions which confer special privilege or tend to restrain or eliminate competition. Various laws relating to the conduct of Japanese banking have been placed under particularly careful scrutiny. One of the principal objectives of the revision of Japanese banking laws is to create a climate in which the undesirable prewar concentration of Japanese credit in a few hands could not recur.

In all this, the Japanese Government has demonstrated a commendable ability to comprehend Allied objectives and has cooperatively fulfilled its obligations. The Japanese Fair Trade Commission has prosecuted a significant series of cases against Japanese businessmen who were violating one provision or another of the statutes which seek to prevent new concentrations of Japanese industry. The Japanese Holding Company Liquidation Commission has made a careful study of the structure of the larger Japanese combines and, in close cooperation with the Supreme Commander, is currently developing plans for such reorganization of these combines as may be needed.

As the occupation and the economic situation have developed, there has been a corresponding evolution in the deconcentration program. For example, it has proved possible and desirable to dissolve most of the wartime control associations. As new sources of credit have been created through the conversion of other financial institutions to commercial banks, it has been possible to reconsider the need for the actual dissolution, once believed necessary, of Japan's biggest banks which under earlier circumstances had dominated the credit structures of Japan. With the daily growth of indication that the Japanese propose to enforce their fair trade laws vigorously and effectively, it has been possible to reconsider the standards to be used in the dissolution of some of the combines still existing. These changes in emphasis have been responsive to changing circumstances and have represented relatively minor alterations in a program which basically remains unchanged. That program, adhering to the broad purposes of the directive of the Far Eastern Commission, seeks to achieve in Japan an economic climate conducive to the development of a democratic society. It seeks to prevent the resurgence of economic power in the hands of a few who recognize no

responsibility to the Japanese people or the world at large.

When the United States suspended its participation in the discussion of FEC 230 in the Far Eastern Commission, that decision was based upon the growing realization that the guidance for the Supreme Commander and the Japanese envisaged therein had largely been overtaken by events. The major points of procedure set out in that document already had been implemented in Japan. Other details believed necessary to the accomplishing of the major objectives either had been faithfully adopted or had become unnecessary or inappropriate. Useful as the paper might have been at an earlier stage of the occupation, that usefulness no longer appeared to exist.

That the paper has become outmoded in so brief a period is a singular tribute to SCAP and the Japanese Government. Procedures which it was thought would take years to carry out in many cases have been accomplished in a matter of months. Major technical obstacles have been overcome and the demonstrated determination of the Supreme Commander to carry the program through has elicited a gratifying degree of cooperation from the Japanese themselves. Accordingly, upon a careful resurvey of the deconcentration program now well-advanced in Japan, the United States now believes that, as a practical matter, there is no need to lay down policies for the guidance of the Supreme Commander with respect to any remaining significant aspect of the program. Indeed, to do so in the outmoded terms in which FEC 230 is cast might well do more harm to the program than good. Hence, the United States has withdrawn its support of FEC 230 as a proposal upon which the Far Eastern Commission could act with benefit to the occupation.

This does not mean that the deconcentration program has been completed. Considerable amounts of securities still remain in the hands of the Government and must be disposed of. Ingenuity and vigor must be brought to this task. Existing banking legislation will undoubtedly be elaborated and refined in consonance with the objectives of this program. Those remaining Japanese combines whose existence may constitute a threat to competitive enterprise will, where necessary, be reorganized as required to remove such threat. But these programs no longer call for the development of policy. They call largely for a practical application of judgment, energy, and enterprise in implementing a program whose philosophy and objectives are clearly understood by the Supreme Commander and the Japanese Government, as they have already convincingly demonstrated.

Conduct of Trade With Japan¹

1. In so far as is compatible with the Basic Post Surrender Policy for Japan (approved 19 June 1947, and forwarded to the Supreme Commander on 26 June 1947) and other policy decisions of the Far Eastern Commission, including this policy decision, Japan's foreign trade should be so conducted as to:

a. foster the development and balanced growth of Japanese foreign trade to a level consistent with Japan's peaceful needs as defined by the Far Eastern Commission;

b. encourage an increase in Japanese exports:

(1) in order that these exports may, as soon as possible, pay for the imports required for the prevention of disease and unrest within Japan, and for the reestablishment of a self-sustaining economy; and

(2) in order that Japan may participate in providing goods for international trade;

c. insure competitive conditions in trade free of contracts or arrangements which limit access to markets or foster monopolistic controls, and prevent excessive concentration of economic power in Japan and monopolies in Japanese foreign trade, whether with the participation of Japanese or foreign capital.

2. In addition to Allied trade representatives whose entry into Japan has been or may be approved consequent upon policy decisions of the Far Eastern Commission, persons in the following categories should be permitted to enter and reside in Japan in accordance with regulations established by the Supreme Commander for the Allied Powers:

a. Merchants and other traders (including representatives of commercial organizations, Governmental or otherwise) who are prepared to purchase or to make arrangements for future purchases of potential exports, or to provide raw materials or other commodities which Japan must import;

b. Representatives of banks, insurance companies, airlines, shipping and other companies who are prepared to render necessary services in connection with Japan's foreign trade either to private non-Japanese businessmen, to the Supreme

Commander for the Allied Powers, or to Japanese persons or agencies approved by him;

c. Representatives of companies or individuals who had prewar property interests in Japan, the renewed operation of which would contribute to the accomplishment of the objectives in paragraph 1;

d. Representatives of companies or individuals who had substantial prewar property interests in Japan, for the purpose of inspection of those interests.

3. Nothing in this policy decision is to be understood as requiring the reopening or operation of factories in Japan.

4. There should be no discrimination against any foreign trade representatives or businessmen in Japan and all should be accorded equality of opportunity to transact business. Accommodations should be allocated to such persons entering Japan under the provisions of this policy decision on an impartial basis.

5. Yen acquired by foreign nations through activities envisaged in this policy should be useable for local expenditures in accordance with laws and regulations enforced in Japan.

6. The Supreme Commander for the Allied Powers may impose port and service charges upon foreign vessels entering Japanese ports for commercial purposes with the exceptions enumerated below:

a. No port charges should be imposed on vessels entering Japanese ports in so far as they are carrying occupation force cargo or are engaged in the removal of reparations or restitution goods. Where vessels are also engaged at the same time in normal commercial operations, port charges should be imposed in proportion to the bulk of commercial cargo carried.

b. All port charges on commercial vessels as well as the services rendered to commercial vessels in Japanese ports should be subject to appropriate and non-discriminatory payment in any foreign exchange useful for the purchase of imports for Japan or in local currency, in accordance with laws and regulations enforced in Japan.

7. The persons referred to in paragraph 2 should be afforded opportunity for direct access to individual Japanese firms of their own choosing, and should have the opportunity to move freely in Japan subject only to availability of transport and accommodations. Any regulations pertaining to the participation of firms or government agencies, whether Japanese or foreign, in foreign

¹ Policy decision approved by the Far Eastern Commission on Nov. 18, 1948, and released to the press by the FEC on Dec. 6, 1948. A directive based upon this decision has been forwarded to the Supreme Commander for the Allied Powers for implementation.

trade should be non-discriminatory in character and confined to measures essential to achieving the principles and objectives set forth in this policy and should be based upon criteria established by and under the supervision of SCAP.

8. Foreign trade may be conducted by the Japanese Government or agency thereof to the extent

deemed by the Supreme Commander for the Allied Powers to be necessary for the purpose of maximizing export proceeds or for other purposes, consistent with the principles and objectives stated in this policy.

9. An exchange rate for the yen should be established as soon as practicable.

Travel Abroad of Japanese Commercial Representatives¹

1. During the period of the occupation it is recognized that the operation of the private trade of Japan with other countries must be conducted largely through foreign nationals traveling or residing in Japan. However, in order to widen the scope of trade and to further the policy of preventing Japanese monopolies in foreign trade, limited resumption of private trade contacts by the travel of Japanese commercial representatives abroad may, subject to the approval of the country of destination, be permitted under the following conditions:

a. Such travel should give Japanese no advantage over foreign nationals doing business with Japan. To this end foreign nationals in Japan should be given maximum freedom to develop trade, subject only to the economic controls required by reason of the occupation. Such controls should apply equally to Japanese and foreign nationals.

b. Japanese commercial representatives abroad should not be the sole sales or purchasing medium for Boeki Cho or for Japanese trade associations or should they be allowed to be official representatives of SCAP.

c. The specific travel authorized herein and the extent thereof should be only that essential to

raise Japan's foreign trade to a level consistent with her peaceful needs as defined by the Far Eastern Commission.

d. The activities of Japanese commercial representatives abroad should be confined to trade. They should not be a cover for other activities such as for instance those of a political or propaganda nature.

e. Japanese commercial representatives should be carefully screened by the Supreme Commander for the Allied Powers before they are allowed to leave Japan.

2. Such Japanese travel abroad shall be under such conditions and controls as may be specified by the Supreme Commander for the Allied Powers and the country of destination. Subject to overall supervision by the Supreme Commander for the Allied Powers, the Japanese Government, or any authorized agency thereof, will be responsible for the conduct of any Japanese commercial representatives permitted to travel abroad under this policy.

¹ Policy decision approved by the Far Eastern Commission on Oct. 21, 1948, and released to the press by the FEC on Nov. 9, 1948. A directive based on this decision has been forwarded to the Supreme Commander for the Allied Powers for implementation.

THE RECORD OF THE WEEK

America's Answer to Communist Propaganda Abroad

BY DOUGLAS SCHNEIDER¹

Acting Chief, Public Affairs Overseas Program Staff

Between November 1918 and September 1939 most great powers in the world were, with rapidly increasing momentum, organizing the machinery for the all-out propaganda campaigns which were to be carried on throughout the war. The Fascist countries were in the vanguard, during the thirties—the prewar period—but they were rapidly joined and even overhauled by the Allies, after the outbreak of war; and, at the cessation of hostilities, almost every nation was in possession of a smoothly functioning, and in many cases quite formidable, many-voiced propaganda machine.

The U.S.A. was late in joining the chorus, but making up for lost time we too had in operation in 1945 a widespread network of information outlets—call them propaganda outlets if you wish—which under different names really blanketed the world: the “CIAA”, the so-called Nelson Rockefeller Committee on Inter-American Affairs, and the Office of War Information for all areas other than the Americas.

We and, in varying degrees, almost all other countries had the instruments at hand for the spreading of information. The propaganda machines of our enemies had collapsed with their military establishments. But we were about to reconvert our wartime organizations into peace-serving activities. What was to be the “market”, if I may so call it, for our peacetime information service?

This “market” was a paradoxical one. On the one hand there was a vast demand for information and on the other hand there had never been a stronger resistance against propaganda as such. Let me elaborate: The demand was great because of the limitations imposed upon the free flow of information during the war. Even in the areas spared from occupation or battle, such as Latin America and the British Commonwealth of Nations, news and many of the other traditional media for the dissemination of information had been restricted by censorship and by lack of physical facilities, such as newsprint or shipping space for books. In many parts of the world,

less favored, news and information had been restricted to what the enemy, Germany, Japan, and Italy, had been willing to allow to the occupied areas and to what the Allies had been able to supply despite totalitarian bans, sometimes an impressive amount, sometimes a tantalizing trickle. Curiosity was excited by the years of darkness. When the lights went on again people all over the world wanted to know; they wanted to know what had happened in the free nations during the years they were cut off. They wanted to know how the Great Powers lived, those Great Powers which had brought about the downfall of their oppressors. The flow of Allied armies round the world increased that curiosity. After having seen American G-I's by the hundreds and thousands, people everywhere wanted to find out “what made them run”, what were the homes behind those fun-loving, kind, rough, and generally unpredictable American soldiers and sailors. And over and above the general interest there were the specialists: doctors thirsted for information on the latest techniques; scholars were eager to resume their contacts with other scholars; writers with other writers. Never had there been a more eager audience.

The peoples of the world, in August 1945, were on the one hand eager for information but, on the other hand, they had in almost every case been surfeited with a glut of propaganda, often heavily handed and, in the case of enemy-occupied territories, generally resented. After four years of Goebbels' outpouring, the Frenchman was hypersensitive to anything which even smacked of propaganda; tired of Mussolini's rantings, cynical Romans shrugged off anything with a “message” and in areas far less sophisticated than these, a very keen sense of smell had been developed.

There, then, is the scene: a world avid for information, but very generally sceptical, hard to persuade, easily “scared away”. How, in particular, did the Communist movement throughout the world seek to exploit the reservoir of good will filled to overflowing by the victorious Soviet armies and by the sacrifices of the Russian people?

First of all there were, to be sure, the traditional (if one may use the term for a relatively modern activity) the traditional media of information open to any country: the press, radio,

¹ Address delivered at the Institute on World Affairs, Riverside, Calif., on Dec. 6, 1948, and released to the press on the same date.

the motion picture. Soviet Information Bureaus issued, and still issue, to the local papers and publications their news bulletins and editorial excerpts from the Soviet papers. Powerful transmitters send out from Russia short-wave radio programs in many languages. Documentary shorts and full-length feature films show the most flattering picture of the Soviet Union. The scale of these efforts is impressive and I wish that I were able to give you some idea of the amount of men and money involved in such output. This I am, unfortunately, unable to do. I think I can tell you what British Information Services spent in France in a given year for information and cultural activities. In 1946, for instance, according to my best estimate the British must have spent approximately \$440,000 and engaged in such work some 50 British subjects. I might add that when I asked my "opposite number" at the Soviet Embassy what his government spent in France for information and cultural relations, Mr. Vidiassov answered with a wide grin, "Ah, Mister Schneider, there is no mystery but *of course* I cannot tell you!" I might also add, as a parenthesis, that three or four months after calculating that the British had spent on information and cultural relations about \$40,000 in 1946 and after having estimated that the Russians must have spent ten times as much (I would guess to be sure), I learned that our United States appropriation for 1947/48 (July 1947 to July 1948) was to be approximately \$125,000. But, in spite of the efforts of the Soviet Union, in spite of the obviously large sums of money spent on them in their overt, officially acknowledged propaganda campaign, the results of these, in so far as one may judge anything so intangible as human reactions to propaganda, seem to be mediocre. This type of Communist propaganda is heavy-handed, and except among hardened party members who need no convincing, it is often rejected.

The Tass Agency's news files, the Moscow short-wave radio outpourings, the magazines and displays and exhibits, however, were but one and no means the most skilful of the approaches to the mind and to the emotions of man.

A more novel and more attractive device was the national association known in France as "France-U.S.S.R." and in this country as "National Council of American-Soviet Friendship", different names for different countries but always essentially the same pattern.

May I give you some idea of the association "France-U.S.S.R.", with which I was quite familiar. It is a local example which follows a general plan. Its aim: to promote a better understanding of the Soviet Union in France. Its directorate: generals and professors, parliamentarians, ex-ministers, scientists of world-wide reputation. And its methods? Well you might say "it holds barred". First there was what you

might expect: lectures, screenings of Soviet documentaries, participation in pro-Soviet demonstrations such as "Stalingrad Day" or "Red Army Day". But to such classical methods "France-U.S.S.R." added pretty nearly anything you could imagine which would attract and entertain. I have seen announcements of country fairs, rod and line fishing contests, dances, outdoor bowling tournaments, picnics, and bicycle races organized by "France-U.S.S.R.", all of these activities aimed at recruiting Communist party members and vaunting the glories of life in the Soviet Union. Most effectively of all perhaps, "France-U.S.S.R." organized for the children of its adherents free summer camps: a fortnight on the Mediterranean seashore. A mother who lives in the smoky suburb of St. Denis or Ivry, who sees her son go off, pale, and sees him come back all brown and toasted after a fortnight in the Mediterranean sunshine—well, you can guess for what party she and all her family and friends will vote.

I dislike statistics but you should perhaps know that "France-U.S.S.R." claims a membership of some 150,000 to 175,000. With national headquarters in Paris and departmental offices in 57 of France's 90 departments, "France-U.S.S.R." also runs 1,452 regional offices. To be sure these vary in size from large business suites open six days a week to one room offices open on market day. But don't forget that 1,452 offices constitute a very impressive number of outlets for information about the great "friendly" power to the East.

And in all the operations of "France-U.S.S.R." you never meet a Russian. There are no Soviet members on the board of directors, no Russian employees. They are all French. That is their great strength.

I have gone into "France-U.S.S.R." at some length because I followed its activities quite closely in Paris, and because it is quite typical. And its national character, its use of Frenchmen only, bring us to the last and perhaps most formidable weapon in the Communist arsenal.

If the Soviet Union is the fountainhead of Communist propaganda, it is the Communist organization and the Communist press in each country which, far better than the Soviet publications themselves, publicize and advance the Communist cause, all for the greater glory of the Soviet Union.

The Communist papers are not Russian. They are not spreading Russian propaganda. Perish the thought! They are militant organs fighting for the best interests of the Italian—or Swedish—or French proletariat. And by this token their acceptance is greater both when they extol the virtues of the Soviet paradise and when they damn the imperialist, the trust-ridden, the uncultured, the utterly despicable capitalist country: the U.S.A.

Of other, more devious, methods such as "front" groups, semipolitical groups, philanthropic societies, one could give hundreds of examples. At still other more occult devices, the rumor campaign, the whisper, the smear, one can guess. But they can but add to the full-throated chorus of the Soviet and non-Soviet Communist press, radio, lecturer, loud-speaker; the big drums and the piccolo and the throaty cello together form a mighty roar.

Well, what do we do about it? What is America's answer to Communist propaganda abroad?

I should not like this to sound like an attempt at a paradox, but America *is* the answer to Communist propaganda abroad.

The existence of this country is the answer, in so far as this country is known.

What is the target of Communist propaganda? The hungry and the cold, the tired and the discouraged people of the world are the natural targets of Communist propaganda. To these men and women, racked by war, weary and hopeless, a new economic system is offered. The police-state methods? Bah! Malicious lies! Join the Communist Party and you shall be led along the road toward a morrow full of music. Can't you feel the appeal of such slogans to those who cry: "it will be a change", and "nothing could be worse than the present"?

And yet to these same weary millions the word *America* has long shone as a symbol of hope, as a sun piercing the darkness of their frightened night. Yes, to be sure, it is a very distant sun, a far-off hope. The land of miracles is far, far away, difficult to imagine, almost impossible to reach. It is seen as through a glass, darkly. But America stands for freedom. Who would not like to know America?

How do we Americans satisfy this desire for knowledge, how do we answer the slurs and slanders which are daily poured out against us?

First of all, I am glad to say, we don't answer the slurs directly. Direct answers to hostile propaganda put the answerer on the defensive. They put him on to his adversaries' terrain. They are a sign of weakness, not of strength.

During the war, at the request of the Allied air forces, British and American propagandists taunted the Germans: "*Wo ist die Luftwaffe?* (Where is the Luftwaffe?)" The Allies wanted them to come up and be destroyed before the Normandy landings. The campaign aroused such doubts among the German listeners that Goebbels himself felt constrained to speak out, to explain, as best he could, the Luftwaffe's absence from the skies of battle. That day the broadcasters of the BBC and of the Voice of America knew that this campaign at least had been successful. And the interrogations of prisoners of war soon showed that Goebbels' retorts and denials had reassured no one; that, on the contrary, they

had left the German listeners more persuaded than before that all was not well with their air force.

Instructed by this and a dozen other such experiences, we do not answer Communist slanders tit for tat, we do not get involved in the vain arguments—"true; not true; you lie; I don't". Our aim (and when I say "we" I am thinking of Americans in Government or in private information work; of Embassies and of American newspaper offices abroad), our aim is, broadly speaking, to show the fair face of this country, of our people, and to let the true picture of America tell the story.

Who engages in such efforts? What agencies or groups contribute to our information work abroad?

News is, I suppose, the prime vehicle for such information and American news does get abroad both in its written and in its visual forms. The great American news agencies, the picture agencies, the newsreel companies, certain American magazines with overseas and in some cases foreign language editions, all these contribute to a projection of the American scene for foreign readers and spectators. American books, too, the technical books showing our progress in every field of human endeavor, the books on our social, economic, and political life, are a strong weapon in the conflict of ideas.

But all these media labor under difficulties, some peculiar to the postwar world of 1948 and others inherent in our very own way of life.

News agencies and magazines and papers and newsreels and publishing houses in a free economy must make money. And the currencies of many countries are in such a weakened condition that dollars cannot be found to buy American books or to subscribe to American magazines. Yet these commercial organizations have little use for large balances in guilder or lire or francs. Moreover in many countries, curtained off behind that iron screen, these vehicles of American thought cannot circulate regardless of whether there is or is not a available dollar balance.

Furthermore the nature of the American press and American publications is such that the very idea of propaganda is foreign to them. In the very long-term view this is, without doubt, sane and healthy. But the short-term need for an immediate reaction against Communist propaganda is not readily met by agencies to which objectivity and impartial news treatment are cardinal principles.

Then there are the films. Are these the answer? I remember of what city I am today a guest and I speak with circumspection. In other countries millions of people every week see the American films and for millions each one of the pictures is indeed, one of the rays of that sun of hope, America. I should hesitate to say that every American film is a good ambassador. Some of them, in fact

ow curious and regrettable misconceptions, chiefly because the foreign audiences lack knowledge about the U.S.A. and its ways. But the aggregate impact of American films is certainly a contributing factor and one of no mean importance in the total presentation of the life, thought, and activities of the United States. The films, however important as they are, are also subject to quota restrictions, to dollar currency shortages, and to actual censorship here and there.

All these different difficulties at present attend upon private efforts to portray our way of life abroad and thereby to destroy the myths and stereotypes carefully fostered, when they are not invented, by the Communist organizations will explain why the United States Government has felt it desirable to establish and maintain a service devoted to the spreading of information about the United States; to the exchange of people, of educators, students, technicians, physicians, and administrators; to spread the truth about our policies, our national aims and our way of life, a service complementary to the efforts of private enterprise.

Acts, of course, speak more eloquently than words. The European Recovery Plan, Marshall Plan, Economic Cooperation Administration, call what you like, has brought home to many millions the real aims of our foreign policy.

But even acts must be made known, and correctly known. To baptize the Marshall Plan as a new and devilish device of "American Economic Imperialism" designed to subjugate the countries of Europe and to colonize them in favor of the Wall Street barons was one of the first moves of the communists everywhere.

To combat this and all other attacks on the United States and to destroy even among our friends the misconceptions so prevalent about our country is the task of U.S. Information and Educational Exchange Services throughout the world.

These services operate through what I earlier described as the traditional or classical media of press, radio, and films, through the exchange of persons, and through the use of books and exhibits.

My examples have, as I quite realize, been drawn very largely if not exclusively from France, since I had the honor of serving there myself so recently. Let me once more describe the operation of our services in France, with the remark that similar operations, varying in size and scope and opportunity, are being conducted by the Department of State at some 130 posts in 82 countries throughout the world.

One of the essential tasks of the mission is to obtain full and fair treatment of American news in the local press. To this end a service of some 10,000 words daily is radioed from Washington to Paris (as it is throughout the world). In Paris it is taken "off the air", translated into French and distributed in the form of a daily bulletin to 2,000

French addressees, about half of them newspaper and periodical editors, the other half being composed of educators, members of Parliament, government officials, trade-union leaders, doctors, lawyers—in short, the leaders of public opinion. This radioed material is backed up by air-mailed features and articles, reprints from American magazines, still pictures, exhibits, accounts of our progress in every field, explanations of our national policy. Such output is used extensively by the French press, particularly in the provinces. It does not compete with the private American news agencies, since the government output is not geared for "spot news" but deals with either full texts of American Government pronouncements or with materials which no private agency would find commercially profitable. (I should like to add that when I speak of American Government, I use this term in its widest sense, and refer to coverage of the activities of the Congress, of the Executive Branch and, on occasion, of the individual States.)

Documentary motion pictures, bought or borrowed from other Government agencies, from colleges and industry and other private groups are shown throughout France. They are pictures of American life, they show the American home, the skills and techniques of our professional men and women. And they show in France to some 750,000 people every month. World-wide audiences are in the nature of 102 million yearly.

In Paris and, shortly, in five cities in the provinces United States Information Service provides a reference library on American matters. The Paris library receives an average of 175 visitors daily, and approximately 80 percent of these visitors are scholars, government employees, physicians, and research workers. I should add that many points in the world outdo by far the Paris record in this respect. In the Philippines, for instance, the United States Library receives about 500 visitors daily.

A radio officer in Paris represents there the Voice of America and has arranged for the local rebroadcast of our New York produced show over one of the French networks with 14 stations, covering the whole of France. In this respect we are privileged, since we are the only country to enjoy a regular half-hour relay, seven days a week. "France-U.S.S.R." has two quarter-hour shows, weekly, against America's seven half-hour shows—a proportion of 7 to 1. And beside his function of liaison between the Voice of America and Radio Diffusion Française, the radio officer produces local shows himself on an average of 18 every month, featuring American music, travelogues, and aspects of our national folk ways.

Finally, on the educational side, a cultural officer and his assistants pursue the manifold duties that his very title suggests: lectures, advice to French professors, fellows, students en route for

the U.S.A.; assistance to American students, painters, musicians arriving to study in France; the organization of Franco-American seminars for teachers of English. These seminars, by the way, reveal the most surprising areas of ignorance. At one of them my wife, who was attending a round table, was seriously told by a French teacher: "I can't understand what American women can do all day long! You all have laundry machines, dishwashing machines, your children are never at home. Since there is no family life, and you cook everything out of cans, what do you do the rest of the time?"

This was a picture of the operation of your Government's information service in France. With local differences similar activities are carried out in the other countries of both hemispheres and these activities are still being developed. For instance, Public Law 402 authorizes in the Eastern Hemisphere exchange-of-persons activities already in effect in the Western Hemisphere. No funds were voted for this in the Eastern Hemisphere in the current fiscal year, but the program is foreseen as a nearing possibility.

There are two phases of the information work, upon which my Paris outline could not touch and which I must add to give you a rounded picture.

The Voice of America in New York broadcasts in 14 languages and its programs are boosted by relay points at Munich, at Manila and, by arrangement with the BBC, in England. I suppose most people have heard of the Voice. Whenever it has had the misfortune, in the outpouring of its vast daily output, to make a slip, the attendant publicity has been tremendous. Less, of course, was said about 50 effective programs than about one "off the beam." It is however comforting to us to know from our colleagues of the American Embassy at Moscow that the "Voice" in Russian, for instance, is widely listened to in the Soviet Union and that, again according to reports from the field, we are striking just about the right note by not taking personal issue with any of the Soviet "great ones", by avoiding all name calling which might provoke national pride and resentment but by maintaining a truthful, cool, and slightly ironical attitude about Soviet institutions which seems to appeal to the wry sense of humor of the Soviet listener. I admit that the appraisal of the quality of our output to Russia is based on the opinions of a very few. But, you see, we cannot be scientifically informed about our success in the U.S.S.R. for there are no public-opinion polls available to us in the Soviet Union.

The magazine *Amerika* is the last point I should like to mention. This Russian-language magazine published in New York by the State Department's Office of International Information, is sold in the U.S.S.R.; 50,000 copies monthly are distributed

through the Soviet News Agency. It is a large heavily illustrated, colorful magazine which deals with noncontroversial aspects of American life. Its 50,000 copies are a very small drop in a large ocean but we know that many copies of the magazine circulate from hand to hand until they drop to pieces.

There is the picture: A Communist country and Communist parties in many countries join in a shrill, hysterical chorus: America is brutal, America is money-mad, America is standardized, uncultured, imperialistic, war mongering, fickle, unstable, headed toward disaster.

With more restraint and with less ample resources the Voices of America answer throughout the world: America is peace-loving; America seeks no aggrandizement; America is made up of 140 million people who hope, who fear, who struggle and love and live and die much as you do. We have common problems, but we have one inestimable treasure, which we are willing to share but for the defense of which (our history proves it) we are willing to die. That treasure is our freedom.

Who is winning in this struggle for the mind of men? My opinion is that truth is on the march. But America's answer will be convincing only if that answer is steadfastly truthful. Ideas are not defeated by the weight of arms or by material resources. The Christian idea was triumphant against the overwhelming might of the Roman Empire because of faith. When appraising the Communist attack let us not forget that if among its leaders there are rogues and self-seeking men lustful for power, there are also in the ranks men and women for whom that economic system and that theory of social organization replace God, fatherland, and family. It is in the measure that we can match and surpass that fanatical faith with an even more passionate belief in and support of our own freedoms that America may find the true answer to Communist propaganda.

Berlin Elections Demonstrate Civic Courage

Statement by the Department of State

[Released to the press December 6]

The Berlin population has in recent months demonstrated a type of civic courage which has won for it the admiration of the democratic peoples of the world. The wholehearted participation of an overwhelming majority of the population of the Western sectors of Berlin in fair and free municipal elections yesterday was a further demonstration of the same civic courage. The conduct of the people of Berlin is an encouragement to all those devoted to the maintenance of civil liberties and democratic processes.

Austrian Federal Government Asks for Continuation of Peace Treaty Negotiations

[Released to the press December 7]

A note was received from the Austrian Federal Government on December 6 pointing out that no progress had been made in the preparation of the Austrian treaty since the conference of the Deputies of the Council of Foreign Ministers was adjourned in London in May of this year. The note stated that the Austrian Government, as well as the Austrian people, are most anxious for the speedy conclusion of the treaty, which would bring about the withdrawal of the occupation forces of the Four Powers and the elimination of the division of Austria into four zones. The Austrian Government considered that the Four Power occupation was an impediment to Austria's economic recovery. The request was made of the Government of the United States jointly with the other Governments represented in the Council of Foreign Ministers to resume their negotiations in order to bring about an early conclusion of the treaty. Similar notes have been addressed to the Governments of Great Britain, France, and the Soviet Union.

The Department of State has replied to the Austrian note welcoming the initiative which the Austrian Federal Government has shown and expressing the hope that a suitable basis might be found for the continuation of negotiations and the early conclusion of the treaty. The Austrian Government was informed that the United States is fully prepared to participate in renewed discussions on the Austrian treaty. As soon as the replies of the other Governments are received the United States Deputy on the Council of Foreign Ministers, as chairman of the next meeting, will address an appropriate communication to the Secretary General of the Council of Foreign Ministers.

Participation in Venezuelan Political Affairs by U.S. Petroleum Companies Denied

[Released to the press December 8]

Charges have appeared in the press that United States petroleum companies backed the military group which recently overthrew the Government of President Rómulo Gallegos in Venezuela.

At least two American petroleum companies are reported by the press to have already issued statements denying any intervention in Venezuelan internal affairs. The Department of State knows of no evidence or indications of any kind which would give the slightest support to such charges.

As far as is known to the Department American companies and other entities represented in Venezuela avoided participation of any kind in the Venezuelan revolution of last month. Americans residing abroad have repeatedly been warned that

interference in the domestic political affairs of foreign states may result in the withdrawal of United States Government protection, and the Department takes this opportunity of reiterating and emphasizing this injunction.

U.S. Military Attaché in Venezuela Impartial in Domestic Situation

[Released to the press December 10]

A United Press report from Habana dated December 9, 1948, quotes Romulo Gallegos, exiled President of Venezuela, as "demanding" that the United States Government explain the presence of its military attaché at the Caracas army barracks during the military revolt of November 24. Señor Gallegos is further quoted as having stated that the military attaché of the United States acted as "cooperator or counselor" for the revolutionists.

According to information received from the American Ambassador in Caracas, the military attaché of the United States, Col. Edward F. Adams, did visit the Ministry of National Defense on November 24. The purpose of this visit was to inquire if there was any news from our air attaché at Caracas who a few days earlier had left for a sparsely populated region of Venezuela known as the Gran Sabana to search for a lost United States military plane. No word had been received from him, giving rise to serious concern.

Despite the political crisis it was not felt advisable to defer this inquiry because of the nature of the emergency. Shortly after noon the same day Colonel Adams visited the Presidential Palace, Miraflores, on the same errand. There he met Venezuelan officers of his acquaintance who confirmed an earlier radio report that the Army had taken over the Government. The American Ambassador has informed the Department that Colonel Adams has stated categorically that in none of his conversations did he indicate any partiality for either side involved in the political crisis or give any advice or express opinions which could be interpreted as constituting intervention in Venezuelan domestic affairs.

It is regretted that Señor Gallegos, not knowing the emergency reasons for the visits of Colonel Adams to the Ministry of Defense and the Presidential Palace on November 24, concluded that they had some other purpose, even though Señor Gallegos cannot but be aware of the record of this Government in adhering strictly to its nonintervention commitments. Standing instructions of the Department to all its missions prescribe that officials of this Government must not intervene in the internal political affairs of any foreign government. There is no basis for belief that any member of the Embassy staff failed to live up to this standing injunction during the recent political crisis in Venezuela.

Conversations on Security Problems of North Atlantic

[Released to the press December 10]

The Acting Secretary of State this afternoon conferred with the Ambassadors of Belgium, Canada, France, the Netherlands, and the United Kingdom, and the Minister of Luxembourg in a continuation of the talks, begun in July, on security problems of common interest in relation to the Senate Resolution of June 11, 1948. The conversations had been recessed in September to give the Governments an opportunity to consider the tentative views which had been developed. The resumed conversations are expected to continue for some time and no information concerning their substance will be made public until such time as decisions may be reached.

President of Cuba Visits in the United States

Statement Upon Departure by Acting Secretary Lovett

[Released to the press December 11]

The friendly relations between the United States and Cuba have greatly benefited by the visit of Dr. Carlos Prío. The President of Cuba carries with him our best wishes as he returns home.

In the course of President Prío's visit it became apparent that the two countries are seeking common objectives and that there exists a mutual desire to cooperate in practical ways towards achieving these common ideals.

The United States is prepared to do all that it can to work with Cuba in reinforcing the social and economic basis on which true cooperation must rest.

Remarks by President Truman¹

I am very happy to welcome you, President Prío, to the United States. No two countries of this closely knit Hemisphere have been bound together more closely than the Republic of Cuba and the United States. The friendly bond between them was forged in a common struggle for freedom, and it has continued through all the trials of two world wars and through the many other problems in the political and economic growth of our two countries. There is no relationship which better typifies the firm solidarity of the American States than the traditionally cordial collaboration between Cuba and the United States.

¹ Made upon the arrival of the Cuban President at the National Airport on Dec. 8, 1948, and released to the press by the White House on the same date.

Mr. President, I have been looking forward to your arrival, as have all the many friends of Cuba in this country, and we sincerely hope that you will thoroughly enjoy your all too brief stay in the United States.

The President To Recommend Relief for Palestine Refugees

[Released to the press by the White House December 11]

The President, following adoption by the United Nations General Assembly on November 19 of a resolution for assistance to Palestine refugees, will recommend to Congress that the United States contribute 50 percent of the amount provided for in this resolution, but in no case more than a total of \$16,000,000 as the share of the United States.

The resolution of the General Assembly, adopted at its 163d plenary meeting on November 19, 1948, considered that a sum of approximately \$29,500,000 will be required to provide relief for 500,000 refugees for a period of nine months from December 1, 1948, to August 31, 1949, and that an additional amount of approximately \$2,500,000 will be required for administrative and local operational expenses.

The recommendation of the President to Congress for an amount not to exceed \$16,000,000 will be made in the earnest hope that other countries will meet the remainder of the total required.

The American Delegation to the United Nations Assembly has emphasized that in accordance with constitutional requirements the President's recommendation for an appropriation of \$16,000,000 for Palestinian refugee relief must be accepted by the Congress before any funds become available. The final decision rests with it. The recommendation will be transmitted to the Congress after it convenes in January.

Economic Cooperation Agreement With Korea Signed

Negotiators representing the Governments of the United States of America and the Republic of Korea signed an aid agreement at Seoul on December 10, 1948 (Seoul time).

Taking cognizance of the inauguration of the Government of the Republic of Korea on August 15, 1948, and the termination on that date of the United States Army military government in Korea, President Truman on August 23, 1948, announced that he had instructed the Economic Cooperation Administrator to make preparation to take over responsibility for the United States economic aid program in Korea within a few months.

The agreement signed at Seoul on December 10, which is being submitted to the Korean National Assembly for ratification, provides the framework within which the economic assistance requested of the United States by the Republic of Korea will be carried out by the Department of the Army and by the Economic Cooperation Administration when the latter assumes these responsibilities. By strengthening the economy of Korea through the economic aid to be furnished under this agreement, the United States will be maintaining its support for the independence of Korea which has been furthered by action of the United Nations. The agreement was signed on behalf of the United States by the Special United States Representative in Korea, Ambassador John J. Muccio, and on behalf of the Republic of Korea by Prime Minister Lee Bum Suk and Finance Minister Kim Do Yun. For text of the aid agreement see press release 999 dated December 10, 1948, of the Department of State and the Economic Cooperation Administration.

Consular Convention Between U.S. and Republic of the Philippines Proclaimed

[Released to the press December 7]

On November 26, 1948, the President of the United States proclaimed the consular convention between the United States and the Republic of the Philippines, signed at Manila on March 14, 1947. This convention, which reaffirms the desire of both countries to strengthen further relations between them by facilitating the handling of consular matters, entered into force on November 18, 1948, by virtue of the exchange on that date of the respective instruments of ratification.

The convention establishes a formal reciprocal basis for the exchange of consular officers between the two countries and defines their rights and duties, covering such matters as privileges and immunities with respect to taxation and import duties, responsibilities and authority in the settlement of decedents' estates, representation of nationals, authentication and notarization of documents, and shipping and merchant marine problems such as salvage and personnel. The rights of each country to acquire land for official purposes is also covered.

THE FOREIGN SERVICE

Advisory Committee of the Foreign Service Institute Established

[Released to the press December 8]

An advisory committee of leading American citizens has been set up by the Secretary of State to guide and advise the Foreign Service Institute in its training of Department of State and Foreign Service personnel overseas, the Department of State announced on December 8.

December 19, 1948

THE FOREIGN SERVICE

This committee, known as the Advisory Committee of the Foreign Service Institute, will assemble in Washington for its first annual meeting on December 17, at which time it will review the program of the institute and its plans for the future.

The Director General of the Foreign Service, Christian M. Ravndal, will serve as chairman of the committee. Other members are:

Senator Henry Cabot Lodge, Jr., of Massachusetts
 Senator Carl A. Hatch, of New Mexico
 Congressman Bartel J. Jonkman, of Michigan
 Congressman John Kee, of West Virginia
 Charles E. Bohlen, Counselor, Department of State
 Joseph C. Grew, former Under Secretary of State
 John S. Dickey, President of Dartmouth College
 Gardner Cowles, President, *Des Moines Register and Tribune Company*
 Prof. Graham H. Stuart, Stanford University
 Ralph T. Reed, President, American Express Company

The two senatorial members of the committee were nominated by the President pro tempore of the Senate, and the two House members by the Speaker. Other members were named by the Secretary of State.

The Foreign Service Institute was created by the Foreign Service Act of 1946 "in order to furnish training and instruction to officers and employees of the Foreign Service and of the Department of State and to other officers and employees of the Government for whom training and instruction in the field of foreign relations is necessary, and in order to promote and foster programs of study incidental to such training."

The Institute was formally established on March 13, 1947. Dr. William P. Maddox is its Director. It occupies a building at 2115 C Street, NW.

PUBLICATIONS

Department of State

For sale by the Superintendent of Documents, Government Printing Office, Washington 25, D. C. Address requests direct to the Superintendent of Documents, except in the case of free publications, which may be obtained from the Department of State.

Health and Sanitation Cooperative Program in Haiti. Treaties and Other International Acts Series 1801. Pub. 3294. 3 pp. 5¢.

Agreement Between the United States and Haiti extending the agreement of April 7, 1942, as amended, until June 30, 1949—Effected by exchange of notes signed at Port-au-Prince June 25 and 30, 1948; entered into force June 30, 1948.

United States Educational Foundation in New Zealand. Treaties and Other International Acts Series 1812. Pub. 3327. 7 pp. 5¢.

Agreement Between the United States and New Zealand—Signed at Wellington September 14, 1948; entered into force September 14, 1948.

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Contributors

George L. Warren, author of the articles on the Iro, is Adviser on Refugees and Displaced Persons, Office of the Assistant Secretary for Occupied Areas, Department of State. Mr. Warren served as Alternate U.S. Representative to the First Session of the Council of the International Refugee Organization, and as U.S. Representative to the Preparatory Commission.

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The Department of State

Bulletin

Vol. XIX, No. 495

December 26, 1948

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The Department of State bulletin

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The Department of State BULLETIN, a weekly publication compiled and edited in the Division of Publications, Office of Public Affairs, provides the public and interested agencies of the Government with information on developments in the field of foreign relations and on the work of the Department of State and the Foreign Service. The BULLETIN includes press releases on foreign policy issued by the White House and the Department, and statements and addresses made by the President and by the Secretary of State and other officers of the Department, as well as special articles on various phases of international affairs and the functions of the Department. Information is included concerning treaties and international agreements to which the United States is or may become a party and treaties of general international interest.

Publications of the Department, as well as legislative material in the field of international relations, are listed currently.

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tatus of Work of the Third Regular Session of the General Assembly s of December 12, 1948¹

GENERAL ASSEMBLY, PLENARY

Item	Action	Meeting	Date
Opening of session by Chairman of Delegation of Argentina.		136	Sept. 21
Appointment of Credentials Committee . . .	Appointed Brazil, Burma, Canada, Ecuador, France, Iran, Ukraine, Sweden, Yemen.	136	Sept. 21
	Report approved	139	Sept. 23
Election of President	2d Report approved	139	Dec. 8
Constitution of the Main Committee and Election of Officers.	Evatt of Australia	136	Sept. 21
	Committee 1—Spaak, Belgium	142	Sept. 21
	2—Santa Cruz, Mexico	56	
	3—Malik, Lebanon	84	
	4—Entezam, Iran	50	
	5—Wilgress, Canada	104	
	6—Alfaro, Panama	61	
Election of Vice Presidents	China, France, Mexico, Poland, U.S.S.R., U.K., U.S.	138	Sept. 22
Notification by SYG under article 12, par. 2, of the Charter.	Presented to plenary	139	Sept. 23
Adoption of agenda	Adopted after rejection of several proposals to delete items 14, 16, 17, 19, 44.	142	Sept. 24
	Decided to delay item on treatment of Indians in South Africa.	146	Sept. 28
	Added after report of General Committee: resolution on prohibition of atomic weapons and reduction of armaments (U.S.S.R.) referred to Committee 1.	147	Sept. 28
	Resolution for great powers to renew efforts to compose differences (Mexico) referred to Committee 1.	150	Oct. 8
Opening of general debate	39 countries spoke	139	Sept. 23
	Ended	148	Sept. 29
Report of SYG on work of Organization . . .			
Election to Security Council	Cuba, Norway, Egypt.	149	Oct. 8
Election to Ecosoc	China, France, India, Peru, Belgium, Chile . . .	149	Oct. 8
Election of five members of ICJ (article XVII, par. 1, of Statute).	Elected 5: Hsu Mo, China; Badawi, Egypt; Read, Canada; Winiarski, Poland; Moricic, Yugoslavia.	152-153	Oct. 23
Progressive development of International law—election of members of ILc.	Elected 15 members: Alfaro, Panama; Amado, Brazil; Brierly, U.N.; Cordoba, Mexico; Francois, Netherlands; Hsu, China; Hudson, U.S.; Kdratsky, U.S.S.R.; Rau, India; Scelle, France; Spiropoulos, Greece; Yepes, Colombia; Sandstrom, Sweden; El-Khoury, Syria; Zourek, Czechoslovakia.	154-55	Nov. 3

¹ EDITOR'S NOTE: This document, an informal compilation, was prepared by the Reference and Research Branch of U.S. Mission to the United Nations from daily press reports and from reports of the International Broadcasting Division of the Department of State.

GENERAL ASSEMBLY, PLENARY—Continued

Item	Action	Meeting	Date
13. Recommendation of SC to GA regarding participation of non-U.N. member, party to Icj statute, in election of Icj judges.	Adopted	150	Oct.
14. Draft protocol to bring under control drugs outside the scope of the Convention on July 13, 1931, for limiting the manufacture and regulating the distribution of narcotic drugs, as amended by the protocol signed at Lake Success on Dec. 11, 1946: item proposed by Ecosoc.	Approved	150	Oct.
15. Financial report and accounts for the financial period ended Dec. 31, 1947, and report of Board of Auditors.	Approved	150	Oct.
16. ICEF: annual audit of accounts of fund: report of Srg.	Approved	150	Oct.
17. Annual report of the Staff Benefit Committee on operation of pension fund.	Approved	150	Oct.
18. Reports of Advisory Committee on Administrative and Budgetary Questions.	Approved report on travel and subsistence expenses with modifications.	150	Oct.
19. Organization of a U.N. postal service; report of Srg.	Approved Committee 5 recommendations . . .	150	Oct.
20. Composition of Secretariat and principle of geographic distribution: report of Srg.	Approved Committee 5 recommendations . . .	150	Oct.
21. Permanent invitation to Director General of Organization of American States to assist at sessions of the General Assembly: proposed by Argentina.	Approved	151	Oct.
22. Appointments to fill vacancies in membership of subsidiary bodies of General Assembly.	Approved Committee 5 recommendations on all bodies.	151	Oct.
a) Advisory Committee on Administrative and Budgetary Questions.	Approved appointment of Hall (U. S.) to ABQ		Nov.
b) Committee on Contributions.			
c) Board of Auditors.			
d) Investments Committee.			
23. Appointment to fill vacancy in membership of Committee on Contributions in replacement of Dr. Jan Papanek: item proposed by Czechoslovakia.	Approved Committee 5 report rejecting Czechoslovak resolution.	151	Oct.
24. Appointment to fill vacancy in membership of Advisory Committee on Administrative and Budgetary Questions in replacement of Dr. Jan Papanek: item proposed by Czechoslovakia.	Approved Committee 5 report rejecting Czechoslovak resolution.	151	Oct.
25. Appeal to great powers to renew their effort to compose their differences and establish lasting peace: item proposed by Mexico.	Adopted Mexican proposal	154	Nov.
26. Registration and publication of treaties and international agreements: report of Srg.	Approved Committee 6 report	155	Nov.
27. Information from non-self-governing territories:	Approved Committee 4 report	155	Nov.
a) Summary and analysis of information transmitted under article 73e of Charter: report of Srg.	Approved Committee 4 recommendations on composition of special committee.		Nov.
b) Information transmitted under article 73e: report of Special Committee.			
28. Reports of the Atomic Energy Commission: resolution of Security Council.	Adopted Canadian resolution and rejected U.S.S.R. proposal.	156-157	Nov.

GENERAL ASSEMBLY, PLENARY—Continued

Item	Action	Meeting	Date
29. General Committee proposal to establish an <i>ad hoc</i> political committee to consider six items of Committee I agenda.	Adopted	158	Nov. 15
30. Committee 5 report on assessments scale . . . a) Assessments scale for 1949 budget. b) U.S. proposal to establish a percentage ceiling.	Approved Committee 5 recommendation . . .	159-160	Nov. 18
31. Plan for tax equalization for U.N. Secretariat.	Approved Committee 5 recommendation . . .	159-160	Nov. 18
32. Plan for U.N. telecommunications system . .	Approved Committee 5 recommendation . . .	159-160	Nov. 18
33. Transfer to U.N. of UNRRA residual assets . .	Approved Committee 5 recommendation . . .	159-160	Nov. 18
34. Progress Report on U.N. Headquarters . . .	Approved Committee 5 recommendation . . .	159-160	Nov. 18
35. Provisions for verbatim records of Ecosoc, TC.	Approved Committee 5 recommendation . . .	159-160	Nov. 18
36. Resolution on working capital fund advances (including plan for financing International Conference on Trade and Employment).	Approved Committee 5 recommendation . . .	159-160	Nov. 18
37. TC report	Adopted 4 resolutions on TC report	159-160	Nov. 18
38. Transfer to U.N. of LN functions on economic statistics.	Committee 6 recommendations approved . . .	160	Nov. 18
39. Finland's application for membership in ICAO.	Joint Committee 2 and 3 recommendation approved.	159-160	Nov. 18
40. U.N. Agreement with Imco	Joint Committee 2 and 3 recommendation approved.	159-160	Nov. 18
41. U.N. Agreement with Iro	Joint Committee 2 and 3 recommendation approved.	161	Nov. 18
42. Ecosoc report: a) Authorization to regional Economic Commissions to hold two sessions in 1949 if necessary. b) Recommendation that Ecosoc take geographical distribution into consideration in elections to subsidiary organs. c) Migration	Joint Committee 2 and 3 recommendation approved. Joint Committee 2 and 3 recommendation approved. Joint Committee 2 and 3 recommendation approved.	161 161 161	Nov. 18 Nov. 18 Nov. 18
43. Invitation to member states to submit views on possible need to increase Ecosoc membership from 18 to 24.	Joint Committee 2 and 3 recommendation approved.	161	Nov. 18
44. Request to Syg to continue efforts to improve coordination between U.N. and specialized agencies.	Joint Committee 2 and 3 and Committee 5 recommendation approved.	161	Nov. 18
45. Prohibition of atomic weapons and disarmament.	Adopted Committee 1 majority resolution and rejected U.S.S.R. proposal.		Nov. 19
46. Palestinian refugee relief assistance	Adopted Committee 3 recommendation		Nov. 19
47. Discriminations practiced by certain states in international trade obstructing normal development of trade relations and contrary to purposes and principles of U.N. Charter.	Confirmed Committee 2 decision	164-165	Nov. 26
48. Report of the Government of USAF on administration of South West Africa.	Adopted Committee 4 resolution	164-165	Nov. 26
49. Threats to political independence and territorial integrity of Greece.	Adopted U.S. resolution criticizing Albania, Bulgaria, and Yugoslavia and continuing UNSCOP. Adopted Belgian proposal to return Greek children now abroad to Greece.	166-167 166-167	Nov. 27 Nov. 27
50. Advisability of establishing a permanent committee of GA, IC report.	Approved continuation of IC for another year		Dec. 3

GENERAL ASSEMBLY, PLENARY—Continued

Item	Action	Meeting	Date
51. Transfer to U.N. of functions exercised by French Government under agreement of May 18, 1904, and convention of May 4, 1919, for suppression of white slave traffic, and under agreement of May 4, 1910, for suppression of obscene publications; item proposed by Ecosoc.	Approved transfer of functions to U.N . . .	. . . 4 .	Dec.
52. Permanent missions to U.N	Approved Committee 6 recommendation . . .		Dec.
53. Reparation for injuries incurred in service of U.N.	Asked ICJ for opinion		Dec.
54. Chap. II of Ecosoc report	Adopted 4 Committee 2 resolutions aimed at promoting economic development.		
55. Declaration of old age rights	Approved Committee 3 proposal that Ecosoc study Argentine Declaration.		Dec.
56. Establishment of an international center for training in public administration.	Approved Committee 5 proposal to begin preparatory work for establishment of an international center.		Dec.
57. Problem of adjournment and unfinished business.	Decided to adjourn Dec. 11, hold 2d part of session in New York, Apr. 1, 1949.		Dec.
58. Proposal for adoption of Spanish as working language of GA.	Approved adoption of Spanish as working language.		Dec.
	Approved Committee 6, recommended revised rules of procedure to conform to decision.		Dec. 1
59. Report of Staff Benefit Committee submitting draft resolutions for a permanent pension scheme.	Approved Committee 5 recommendations . .		Dec.
60. Question of disposition of former Italian Colonies.	Postponed until 2d part of session		Dec.
61. Privileges and immunities of U.N.	Adopted Committee 6 recommendation . . .		Dec.
62. Admission of new members	Asked SC to reconsider 12 blocked applications		Dec.
63. Problem of wasting food in certain countries .	Called on all nations to take measures against food wastage and condemned profiteering on food.		Dec.
64. Report of Executive Board of ICEF	Approved annual report		Dec.
65. Question of continuing through 1949 the UNAC and question of modifying resolution adopted by Ecosoc in relation thereto.	Continued UNAC but merged it with ICEF . .		Dec.
66. Advisory social welfare services	Approved program of continued services for 1949.		Dec. 8
67. Genocide: draft convention and report of Ecosoc.	Unanimously approved convention.		Dec. 9
68. International Declaration of Human Rights .	Adopted Universal Declaration of Human Rights (48-0, 8 abstentions).		Dec. 10
69. Palestine: progress report of U.N. mediator in Palestine.	Established Palestine Conciliation Commission consisting of France, Turkey, U.S.		Dec. 11
70. Approval of supplementary agreements with specialized agencies concerning use of U.N. laissez-passer.	Approved Committee 6 recommendations . . .		Dec. 11
71. Transfer of assets of League of Nations. . .	Approved Committee 5 recommendations . . .		Dec. 11
72. Budget estimates for financial year 1949 including resolutions on working capital fund, unforeseen expenditures.	Approved figure of \$43,487,128 for U.N. 1949 budget; \$20,000,000 working capital fund; \$2,000,000 for unforeseen expenses.		Dec. 11
73. Problem of independence of Korea	Adopted Committee 1 recommendations . . .		Dec. 12

THE UNITED NATIONS AND SPECIALIZED AGENCIES

COMMITTEE 1

Item	Action	Meeting	Date
1. Reports of the Atomic Energy Commission: res. of Security Council.	Discussion Referred to Sub-Committee Adopted revised Canadian resolution. (1) approval of Atomic Energy Committee majority findings and proposals. (2) concern at impasse in AEC resulting from U.S.S.R. refusal to support majority. (3) requests Five Powers plus Canada to consult to determine basis for agreement on international control. (4) call for AEC to resume meetings to study further subjects it considers practicable and useful. Passed 41-6.	153 166	Oct. 7 Oct. 20
2. Prohibition of atomic weapons and reduction by ½ armaments and armed forces of permanent members of Security Council: item proposed by U.S.S.R.	Referred to Sub-Committee Rejected U.S.S.R. resolution for ½ reduction of arms by Big Five. Sent majority resolution calling for establishment of an armaments control organ, report to 4th session of GA.	160 198	Oct. 15 Nov. 13
3. Palestine: progress report of U.N. mediator on Palestine.	Discussion commenced. Deferred Resumed Palestinian debate Completed general debate Adopted draft resolution on Palestine establishing a conciliation commission.	169 200 212-213	Oct. 23 Nov. 15 Nov. 25 Dec. 4
4. Appeal to great powers to renew their efforts to compose their differences and establish lasting peace: item proposed by Mexico.	Referred to Sub-Committee Adopted unanimously	167 168	Oct. 21 Oct. 22
5. Threats to political independence and territorial integrity of Greece: report of UNSCOP.	a) Adopted resolution finding Yugoslavia, Albania, Bulgaria guilty of disturbing Balkan peace; reestablishing UNSCOP. b) Adopted Australian proposal for initiation of new attempts in Paris at settlement by representatives of Greece, Albania, Yugoslavia, Bulgaria, GA President, Srg. c) Adopted resolution urging return of 195 Greek children.	191-193	Nov. 10 Nov. 11
6. Problem of independence of Korea: report of UNTCOK; report of Interim Committee of GA.	Voted against inviting representatives of Russian-occupied Korea to participate in Korean debate. Decided to invite representatives of South Korean Government to participate in debate. Declared South Korea regime only lawful, freely elected government of country. Created new Korean Commission to assist in unification of country and in withdrawal of occupation troops.		Nov. 15 Dec. 6 Dec. 8
7. Question of disposal of former Italian Colonies: item proposed by U.S., France, U.K., U.S.S.R.			
8. Question of Franco Spain: implementation of resolution and recommendation of GA of Dec. 12, 1946, and Nov. 17, 1947: item proposed by Poland.			
9. Treatment of Indians in USAF.			

¹ Plenary action.

² Postponed until second part of Session.

AD HOC POLITICAL COMMITTEE

Item	Action	Meeting	Date
1. Election of officers	Romulo, Phil. (Chairman) Prochazka, Czecho. (Vice Chairman). Lafronte, Ecua. (Rapporteur).	1	Nov. 1
2. Priority of agenda	1) Creation of IC 2) Admission of new members. SC report last; decision on other items deferred.	1	Nov. 1
3. ² Advisability of establishing a permanent committee of GA, IC report.	Began discussion	2	Nov. 1
4. ² Admission of new members	Voted to extend IC for another year	5	Nov. 2
Report of SC.	Began discussion	6	Nov. 2
ICJ Advisory opinion.	Decided to ask SC to reconsider applications of Italy, Finland, Transjordan, Ireland, Portugal, and Austria.		Nov. 2
Admission to U.N. of Italy and all States whose applications have received 7 votes in SC: item proposed by Argentina.	Asked SC to reconsider Ceylon's membership application.		Dec.
5. ² U.N. Guard: item proposed by Srg.			
6. ² Problem of voting in SC	Adopted Four Power resolution providing for voluntary limitation of veto on admission of new members and other classes of problems.		Dec.
a) IC report.			
b) Convocation of general conference under art. 109 of Charter to study question of veto in SC: item proposed by Argentina.			
7. ² Study of methods for promotion of international cooperation in political field: report of IC.	Adopted 2 resolutions on pacific settlement and disputes.		Dec.
8. ² Report of the Security Council.			

COMMITTEE 2

1. ² Chapter II of Ecosoc report.	Discussion commenced. 1) Recommended expediting consideration of establishment of EcME and entire economic development program.	58	Oct. 4
	2) Adopted resolution calling for technical assistance to underdeveloped areas, on training of workers.	81	Nov. 19
2. ² Discriminations practiced by certain states in international trade obstructing normal development of trade relations and contrary to purposes and principles of U.N. Charter: item proposed by Poland.	Discussion commenced. Decided not to take action on Polish charge Adopted report on trade discrimination	69 76 82	Nov. 2 Nov. 12 Nov. 20
3. ² Problem of wasting food in certain countries: item proposed by Poland.	Ended general debate on food; referred 2 resolutions to Drafting Committee. Completed action.	82	Nov. 20

COMMITTEES 2 AND 3

1. ² Chapters I, IV, VI, V of Ecosoc report	Discussion commenced. Completed discussion of migration by referring record of debate to Ecosoc.	25 37	Oct. 5 Nov. 11
2. ² Agreements with specialized agencies: a) Application of Finland for membership in ICAO: item proposed by Srg.	Approved recommendation that GA tell ICAO there is no objection to Finland as member of ICAO.	30	Oct. 19

² Plenary action.³ Postponed until second part of Session.

THE UNITED NATIONS AND SPECIALIZED AGENCIES

COMMITTEES 2 AND 3—Continued

Item	Action	Meeting	Date
2.3 Agreements with specialized agencies—con.			
b) Intergovernmental Maritime Consultative Organization: item proposed by Ecosoc.	Approved agreement between Imco and Ecosoc but rejected Indian move urging states ratify relevant convention.	29	Oct. 18
c) International Refugee Organization: item proposed by Ecosoc.	Approved resolution asking GA to approve agreement to bring IRO into relationship with U.N. as specialized agency.	30	Oct. 19
3.1 Relations with and coordination of specialized agencies: report of Syg.	Adopted resolution recommending Syg improve coordination between U.N. and specialized agencies.	35	Oct. 28
3.2 Increase to 24 of the number of member states represented in Ecosoc: item proposed by Argentina.	Proposal relating to increase in Ecosoc membership (Peru) adopted.	33	Oct. 23

COMMITTEE 3

1.1 Draft protocol to bring under control drugs outside the scope of the convention of July 13, 1931, for limiting the manufacturing and regulating the distribution of narcotic drugs, as amended by the protocol signed at Lake Success on Dec. 11, 1946: item proposed by Ecosoc.	Approved	88	Sept. 30
2.1 International Declaration of Human Rights: item proposed by Ecosoc.	Discussion commenced	85	Sept. 30
	Completed drafting		Nov. 30
	Began consideration of Drafting Sub-Committee recommendations on form of Declaration.		Dec. 4
	Adopted final text		Dec. 6
3.1 Chapter III of Ecosoc report.	Took formal note of Ecosoc recommendations		Dec. 8
3.2 Report of the Exec. Board of International Children's Emergency Fund: item proposed by Ecosoc.	Approved report		Dec. 2
3.3 Question of continuing through 1949 the United Nations Appeal for Children and question of modifying the resolution adopted by Ecosoc in relation thereto: item proposed by Australia.	Began debate		Dec. 2
	Decided to place UNAC under ICEF		Dec. 3
3.4 Freedom of Information: report of Ecosoc.	Postponed until 2d part of session		Dec. 7
3.5 Refugees and displaced persons	Discussion	108	Oct. 20
a) Part III of progress report of U.N. mediator on Palestine: assistance to refugees. ²	Referred to Sub-Committee	118	Oct. 30
b) Problems of refugees and displaced persons: item proposed by Poland. ³	Approved 9 month assistance plan		Nov. 13
c) Repatriation, resettlement, and immigration of refugees and displaced persons: report of Ecosoc. ³			
3.6 Declaration of old age rights: item proposed by Argentina.	Item referred to Ecosoc for study		Dec. 1
3.7 Discriminations practiced by certain states against immigrating labor, and in particular against labor recruited from the ranks of refugees: item proposed by Poland.			

¹ Plenary action.² Postponed until second part of Session.

THE UNITED NATIONS AND SPECIALIZED AGENCIES

COMMITTEE 3—Continued

Item	Action	Meeting	Date
10. ² Advisory social welfare services: item proposed by Ecosoc.	Recommended continuation of services on same scale in 1949 as in 1948.		Dec.
11. ² Creation of a subcommission of the Social Commission of Ecosoc on study of social problems of the aboriginal populations of the American continent.			

COMMITTEE 4

1. ² Information from non-self-governing territories:			
a) Summary and analysis of information transmitted under article 73e of Charter: report of Syg.			
b) Information transmitted under article 73e of the Charter: report of the special committee.	Discussion.		
	Approved resolution to continue through next year the special committee to study such information.	59	Oct.
	Passed resolution requiring administering powers to submit information on political conditions in areas under their control when important changes on legal status of these territories takes place.	58	Oct.
	Completed work on report	60	Oct.
	Elected special committee	74	Nov.
2. ² Report of the Trusteeship Council	Discussion commenced	61	Oct.
	Adopted measure asking administering powers to intensify efforts to increase educational possibilities.	71	Nov.
	Adopted resolution on administrative unions with prior consultation clause.	73	Nov.
	Completed consideration of TC report	75	Nov.
3. ² Report of the Government of Union of South Africa on the administration of South West Africa: report of Trusteeship Council.	Began discussion	84	Nov.
	Adopted resolution censuring USAF for not submitting a trust agreement on SWA; calling for continued submission of administrative reports.	84	Nov.
	Adopted report on USAF's administration of SWA thereby completing Committee 4 work.	85	Nov.

COMMITTEE 5

1. ² Reports of the Advisory Committee on Administrative and Budgetary Questions.	Recommended report on payment of travel and subsistence expenses for GA approval, except with respect to Commissions of inquiry or conciliation.	117	Oct.
	Chap. VI adopted by plenary	150	Oct.
	Approved recommendation to maintain high level of U.N. working capital fund at \$20,000,000.	156	Nov.
	Approved U.S. amendment to report providing for per diem for alternate representatives.	109	Nov.
2. ² Financial report and accounts for the financial period ended Dec. 31, 1947 and report of board of auditors.	Adopted	109	Sept.

² Plenary action.³ Postponed until second part of Session.

THE UNITED NATIONS AND SPECIALIZED AGENCIES

COMMITTEE 5—Continued

Item	Action	Meeting	Date
3. ² International Children's Emergency Fund: annual audit of accounts of the fund: report of Srg.	Recommended for approval Chairman's resolution recommending GA approve financial report ending Dec. 31, 1947.	109	Sept. 28
4. ² Annual report of the staff benefit committee on operation of the pension fund.	Adopted several specific proposals	108	Sept. 28
5. ² Report of U.N. staff benefit committee submitting draft resolutions for a permanent pension scheme.	Approved general principles in staff benefit committee report.	109	Sept. 28
6. ² Appointments to fill vacancies in membership of subsidiary bodies of GA:			
a) Advisory Committee on Administrative and Budgetary Questions.	Recommended GA appointment of Agnides, Greece; Kabushko, U.S.S.R.; Hsia, China; Asha, Syria.	123	Oct. 7
b) Committee on Contributions.	Hall, U.S., elected to replace Stone, U.S.	160	Nov. 15
	Recommended GA appointment of Caganas, Mexico; Chernyshev, U.S.S.R.; Jacklin, USAF; Charron, France; Saksena, India; Kayfitz, Canada; Colbjornsen, Norway.	123	Oct. 7
c) Board of Auditors.	Agreed to recommend GA appointment of Auditor General of Denmark to Board.	123	Oct. 7
d) Investments Committee.	Recommended that GA approve appointment by Srg of Leslie R. Rounds, U.S.	123	Oct. 7
7. ² Transfer of assets of League of Nations: report of Srg.	Agreed on liquidation, transfer, distribution of LN assets.		Dec. 8
8. ² Report of Committee on Contributions . .	Discussion commenced	111	Sept. 29
	Approved assessments scale.		
9. ² Amendment of rule 149 of Rules of Procedure of GA to provide for recognition of principle of percentage ceiling in scale of assessments to meet expenses of U.N.: item proposed by U.S.	Discussion commenced	111	Sept. 29
	Approved resolution.		
10. ² Tax equalization: proposed staff assessment plan; report of Srg.	Approved in principle U.S. res. but par. 11 to be voted on separately.	111	Sept. 29
	Adopted U.S. res. recommending approval in principle of Staff Contr. plan and appointment of special committee of tax experts.	111	Sept. 29
11. ² Proposal for adoption of Spanish as working language of GA: report of Srg.	Approved tax equalization plan	136	Oct. 20
12. ² Verbatim records:	In effect rejected proposal concurring with Srg on inadvisability.	136-137	Oct. 20
a) records of Ecosoc; item proposed by Ecosoc.	Approved.		
b) records of Trusteeship Council	Approved Advisory Committee's report on Trusteeship verbatim records (A/691).	150-51	Nov. 3
13. ² Organization of a U.N. postal service: report of Srg.	Recommended to GA to take note of reports . .	115	Oct. 1
	Recommended to GA it approve principle of establishing U.N. postal Administration (Argentine proposal).	114	Oct. 1
	Agreed to Canadian proposal that execution of plan involve no financial loss for U.N.	114	Oct. 1
14. ² U.N. telecommunications system: report of Srg.	Resolution adopted A/C.5/W.99	148	Oct. 30

² Plenary action.

THE UNITED NATIONS AND SPECIALIZED AGENCIES

COMMITTEE 5—Continued

Item	Action	Meeting	Date
15. ² Budget estimates for financial year 1949 . .	Discussion commenced	126	Oct. 1
	Approved budget estimates for U.N. public information program for 1949.	134	Oct. 1
	Approved new per diem allowances for Secretariat.		Nov. 2
	Completed 2d reading of 1949 budget and approved final figure of \$38,692,578.		Dec. 9
16. ² Unforeseen and extraordinary expenses: report of Syg.	Approved unforeseen and extraordinary expenses resolution.		
17. ² Composition of Secretariat and principle of geographic distribution: report of Syg.	Adopted drafting com. res. to recommend GA note progress of Syg in field of geographic distribution: recommends efforts be continued; reaffirms GA res. 43 (11) of Nov. 15, 1947. Combines Argentine res. and Brazilian amendment.	116	Oct. 2
18. ² Relations with and coordination of specialized agencies and work programs of U.N. and specialized agencies: report of Syg.	See under Committee 2 and 3.		
19. ² Transfer to U.N. of residual assets and activities of UNRRA: item proposed by Syg.	Agreed to recommend GA approval of agreement between Syg and UNRRA Dir. Gen. (A/665).	147	Oct. 2
20. ² Headquarters of U.N.; report of Syg . . .	Resolution on U.N. headquarters (A/C.5/W.98) approved.	149	Nov.
21. ² Supplementary estimates for financial year 1948: report of Syg.	Approved	157	Nov.
22. ² Appointment to fill vacancy in membership of committee on contributions in replacement of Dr. Jan Papanek: item proposed by Czechoslovakia.	Czechoslovak resolution on replacement of Dr. Papanek rejected.	123	Oct.
23. ² Appointment to fill vacancy in membership of advisory committee on administrative and budgetary questions in replacement of Dr. Jan Papanek: item proposed by Czechoslovakia.	Czechoslovak resolution rejected	123	Oct.
24. ² Establishment of an international center for training in public administration.	Discussion commenced		Nov.
25. ² Supplementary budget estimates for 1949 . .	Approved Syg resolution		Nov.
	Concluded consideration; approved \$126,990 appropriation reduction.		Dec.
a) Financial implications of assistance to Palestinian refugees (referred to Committee by Committee 3).	Decision taken		Nov.
b) Budget implications of Unscob resolution.	Approved 1949 budget estimates for Unscob at \$1,347,300.		Nov.
c) Budget implications of Committee 2 resolution on technical assistance for economic development.	Approved increase in U.N. budget estimates by \$288,000.		Nov.
d) Budget implications of continuance of IC (as recommended by <i>Ad Hoc</i> Political Committee).	Approved supplementary estimate		Nov.
e) Supplementary budget estimates for India-Pakistan Commission Indonesian Gov.	Approved		Dec.

² Plenary action.

Peaceful Adjustment Sought Through Palestine Conciliation Commission

STATEMENT BY JOHN FOSTER DULLES IN THE GENERAL ASSEMBLY¹

Acting Chairman, U.S. Delegation to the General Assembly

The United States supports the resolution on Palestine which has come from Committee 1 with amendments proposed on which I shall comment in a moment.

The present resolution reflects three weeks of intensive consideration of our Political Committee. After giving effect to the amendments referred to, it is simple. It seeks first of all a peaceful adjustment of the situation. In aid of that it establishes a Conciliation Commission and calls upon the governments and authorities concerned to seek agreement by negotiations conducted either through the Conciliation Commission or directly with a view to final settlement of all outstanding questions. With respect to the Holy Places it seeks protection and free access in accordance with existing rights and historical practice, and Jerusalem would be given international status. With respect to refugees, repatriation and resettlement would be facilitated.

These, Mr. Chairman, are the outstanding features of the resolution before us and we do not see how any delegations can justifiably reject these three basic features of the resolution. Its terms may not be precisely what any single member state would choose. Many proposals were submitted to the Committee and the result is to an extent composite. In so far as the United States Delegation is concerned, there may be additions, subtractions, and shifts of emphasis that we would like. But because we are dedicated to the ends that are sought, because we believe the means contemplated are basically sound, we support the resolution.

We realize there are some who will find it more difficult than we to follow that course. Their concern is more immediate and imperative than our own. But we hope even they will see the advantage of orderly collective procedure and that they will join to enable the Assembly to implement and give impetus to it.

The United States Delegation had at one time favored spelling out in more detail the principles that should guide the Conciliation Commission and parties in achieving a final settlement. Earlier drafts did in fact contain more detailed recommendations upon specific issues than does the draft now before us. But on such important issues as boundaries and disposition of Arab Palestine, specific recommendations were deleted in Committee. By whom? It was the strongest supporters of claims of Arab states and of claims of Israel

ADOPTION OF RESOLUTION ON CONCILIATION COMMISSION

The resolution on the Palestine Conciliation Commission was adopted by the General Assembly on December 11, 1948.

Changes in the text of the resolution as submitted to the General Assembly by Committee 1 and printed in the BULLETIN of December 12, 1948, page 726, are as follows:

Delete first five paragraphs and substitute the following:

"The General Assembly, having considered further the situation in Palestine;". Continue with paragraph "1".

Delete paragraph "2 (C)" and renumber paragraph "2 (D)" to become paragraph "2 (C)".

Change paragraph "3" to read: "A committee of the Assembly consisting of China, France, Union of Soviet Socialist Republics, United Kingdom and the United States of America shall present for approval of the Assembly a proposal concerning the names of three states who will constitute the Conciliation Commission;".

Delete following clause from paragraph "10": "in this connection, the conclusions contained in part I, section VIII, paragraph 4 (E) and (F) of the progress report of the U.N. Mediator should be taken into account;".

Delete first paragraph under number "11"; begin number "11" with paragraph starting "Resolves that the refugees wishing", etc.

whose votes combined to produce that result. Analysis of the voting shows we believe that the parties interested have in effect told the Assembly that the remaining issues in Palestine can be dealt with only through the processes of conciliation or negotiation and they do not want the Assembly at this time to attempt to give shape to the settlement. So although the United States had thought it wiser that the Conciliation Commission's effort should be directed into channels somewhat defined

¹ Made on Dec. 11, 1948, and released to the press on Dec. 13.

by the expression of the middle group within the Assembly, we are content to leave out such indications since it seems the parties themselves prefer it thus.

In two respects, however, the Palestine question cannot be left entirely to the immediate parties because important international interests are directly engaged. First, it is of international concern that a settlement should be reached by peaceful means. There has already been too much fighting; there should be no more. The Security Council has declared the Palestine situation a threat to the peace. The interests of every member of the United Nations are thereby directly and urgently involved. Fighting must give way to a truce, truce to armistice, and armistice to final peace.

Secondly, the arrangements for Jerusalem and the Holy Places must take account of the fact that they are impressed with public interest that is world-wide. The sacred shrines of three great world religions should never be treated as though they are of purely private or local concern. We believe the resolution before us adequately recognizes this international concern and that satisfactory arrangements can be made along the lines suggested. With respect to the demilitarization of Jerusalem contemplated by paragraph 8, we understand it to mean that the armed forces of the opposing sides should not use the Holy City as a battleground. But that of course does not exclude adequate police and security protection under demilitarization which the Security Council is requested to arrange.

I now turn to the amendments proposed by seven members in A/189—these amendments we shall support. The preamble would be eliminated. The rather vague injunction to the Commission "to promote good relations" (paragraph 1 (C)) can

be eliminated in view of the more relevant directions contained elsewhere. We favor the election of a Conciliation Commission by the General Assembly preferably on the basis of nominations as proposed by the French amendment (A/800) to paragraph 3.

The specific references to the progress report of the mediator—which are for some psychological obstacles—can be eliminated (paragraphs 10 and 11). The proposed amendments do not impair the main objective, which is the resolution that on the one hand deals adequately with essentials and on the other hand attracts sufficiently broad support so that not only will it be adopted but it can be adopted by a vote which will from the beginning endow our efforts with strong moral authority.

We believe there is pending a great accomplishment. Of course, the primary responsibility devolves upon the parties directly concerned. The General Assembly does not have the power to command them or lay upon them precise injunctions. The General Assembly can, however, express world judgment and if we do that intelligently, considerately, and wisely, then we can greatly influence the future course of events. Also we can, through establishing a Conciliation Commission, make it easier for the parties in interest to come into agreement.

This matter of Palestine has thrown upon the United Nations a very heavy burden. But we should not complain because had it not been for the United Nations a far more grievous burden might have been thrown upon the world. We can, however, now see the possibility of a final settlement. We believe, if the proposed resolution is adopted, it will enable the United Nations to make an important contribution toward that end. We urge, therefore, that the resolution be adopted.

Admission of New Members

STATEMENT BY BENJAMIN V. COHEN IN THE GENERAL ASSEMBLY¹

U.S. Delegate to the General Assembly

Mr. President, Ten resolutions on the admission of new members adopted by the *Ad Hoc* Committee are now before the Assembly.² These resolutions were exhaustively discussed in that committee. It

will only be necessary for me to say a few words regarding the position of the United States.

Six of these resolutions are almost identical with resolutions adopted by the Assembly last year. Under these resolutions, the Assembly would reaffirm its view that Italy, Portugal, Eire, Finland, and Transjordan, whose admission continues to be barred by the veto of the Soviet Union, are qualified for membership and that the Security Council should reconsider these applications in the light

¹ Made on Dec. 7, 1948, and released to the press by the U.S. Delegation to the Third Regular Session of the General Assembly on the same date.

² U.N. doc. A/761, Nov. 27, 1948, approved by the General Assembly Dec. 18, 1948.

of the Assembly's findings. The Assembly would also reaffirm its view that Austria is a peace-loving state and that her application should also be reconsidered by the Security Council. The United States strongly supports these resolutions reaffirming the General Assembly's view that the applicants named in the resolution are being unwarrantably deprived of membership in the United Nations.

Two of the resolutions submitted to the Assembly relate to the advisory opinion rendered by the International Court of Justice on May 28 pursuant to a request made by the Assembly at its last session. The Court's opinion was to the effect that a state member of the Security Council was not entitled juridically to vote against the admission of admittedly qualified applicants solely because other applicants were not admitted simultaneously. It will be recalled that this was the ground given by the Soviet Union for voting against the admission of Italy and Finland. The two resolutions call the attention of the Assembly to the advisory opinion of the Court, one recommending that the Security Council and the Assembly should act in accordance with the opinion of the Court in voting upon new members, and the other specifically requesting the Security Council to examine, in the light of the opinion, the question of the admission of Italy and Finland. The United States also supports these resolutions. Our Delegation believes that organs of the United Nations should be guided on these questions by the opinion of the Court.

A resolution is also submitted to the Assembly relating to the admission of Ceylon. The application of Ceylon came before the Security Council during the past year. Ceylon's admission, although supported by nine members, was blocked by the veto exercised by the Soviet Union which alleged that the evidence of Ceylon's independence was insufficient. The United States considers the establishment of the sovereign government of Ceylon to be an outstanding example of the orderly progress of a great people from dependent status to full independence. It is curious, to say the least, that some members of the United Nations who so loudly proclaim their solicitude for dependent people should stand in the way of Ceylon's full participation in the life of the community of nations. We hope that the Assembly will express itself in favor of the admission of Ceylon. The United States will continue to support in the General Assembly and the Security Council Ceylon's application for membership in the United Nations.

When the matter of Ceylon was under discussion in the *Ad Hoc* Committee, great efforts were made to draft a resolution to which every member could agree. The Committee postponed action on the original Australian resolution. It appointed a special committee to draft a resolution acceptable

to all. The representative of Poland sat on the subcommittee and helped to draft a compromise resolution. He advocated the passage of the compromise resolution and stated his delegation would vote for it. But a few minutes later, after the Soviet Representative had declared his delegation would not accept the new draft, the Representative of Poland indicated that he would have to abstain from voting. As a result of this astounding reversal, the Committee felt obliged to abandon further efforts to agree on a compromise draft and reverted to the original Australian proposal. If, as we are now advised, there is considerable feeling that the admission of Ceylon may be facilitated by the adoption of the compromise draft, the United States Delegation is prepared to accept it in lieu of the Australian proposal.

There is also submitted to the Assembly a resolution introduced by Sweden requesting the Security Council to reconsider *all* applications for membership taking into account the circumstances in each particular case. In the *Ad Hoc* Committee the United States opposed this resolution. We did so because its adoption was sought *before* the Committee had adopted the resolutions with regard to the admission of qualified applicant states. We feared that its adoption would result in a movement to eliminate the specific resolutions with regard to clearly qualified states unjustly excluded from membership. This movement did develop in the Committee but fortunately was defeated.

Now that all the resolutions are before the Assembly, those specifically recommending the admission of clearly qualified states unjustly excluded, as well as the Swedish resolution recommending a reconsideration of all applications taking into account the circumstances in each particular case, the distinction between the general Swedish resolution and the specific resolutions becomes clear. The United States therefore withdraws its opposition to the Swedish resolution and, taking note of the general sentiment in favor of the resolution, will vote for the resolution as evidence of its willingness to cooperate in good faith in a reexamination of all applications in light of the particular circumstances of each case.

To avoid misunderstanding, however, we wish to state that we do not regard the Swedish resolution as recommending the admission of applicants without regard to Charter requirements. We share the general sentiment expressed in the Swedish resolution in favor of the universality of the United Nations. We feel that the exclusion of states justly entitled to membership under the Charter seriously affects the moral right of the United Nations to speak and act as it was intended, in behalf of the world community of peace-loving, law-abiding nations. But in passing upon the qualification of states for membership we cannot completely ignore the Charter requirements.

The United States has adequately explained the basis for its doubts with regard to the applications of the Mongolian People's Republic, Albania, Bulgaria, Rumania, and Hungary. If we can be satisfied that the Mongolian People's Republic is in fact an independent state, we shall certainly support its application for admission. If we can be satisfied that Albania and Bulgaria are complying with the terms of the General Assembly resolutions on the Greek question, and are observing their treaty obligations, we shall certainly support their applications. If we can be satisfied that Bulgaria, Rumania, and Hungary are loyally carrying out the terms of their recent treaties of peace—particularly as regards the maintenance of fundamental human rights and freedoms—our objections to their admission will be dispelled. In the *Ad Hoc* Committee we had occasion to note the execution of the Agrarian leader Nicola Petkov for doing no more than to express his honest political convictions and the imprisonment of Kosta Lutchev, the Socialist leader, and his principal associates, for exercising the right of free speech and free assembly. This does not appear to us to evince a

particularly strong desire on the part of the Bulgarian Government to demonstrate its right to represent the people of Bulgaria in the United Nations.

We cannot abdicate our own judgment, but we will not on the matter of membership put our judgment above the judgment of the world community of nations. We have indicated that we will not exercise a veto in regard to the admission of any state which secures the affirmative support of seven members of the Security Council. We have indicated that we will not exercise a veto in regard to the admission of any state which the Assembly determines to be qualified for membership.

We shall not falter in our efforts to insure the admission of every qualified state to this Organization. The moral force and the effectiveness of the United Nations depend on the actions of its members. In the spirit of the Charter, the member states have an obligation to welcome to their ranks every eligible candidate. If they do so, the Organization will eventually achieve substantial universality. It will be, as it should be, a great world community of law-abiding, peace-abiding states.

Discussion of Interim Committee's Report on Promotion of International Political Cooperation

STATEMENT IN AD HOC COMMITTEE BY BENJAMIN V. COHEN¹

U.S. Delegate to the General Assembly

The part of the Interim Committee's report which we are now to consider relates to its study of methods for the promotion of international political cooperation.

Under the terms of its reference the Committee was instructed to consider and report with its conclusions to the General Assembly on "methods to be adopted to give effect to that part of Article 11 (paragraph 1) which deals with general principles of cooperation in the maintenance of international peace and security and to that part of Article 13 (paragraph 1 (a)) which deals with the promotion of international cooperation in the political field."

Article 13 of the Charter provides that the Assembly shall initiate studies and make recommendations in various fields. Under paragraph b of this article the Assembly has already in progress a number of programs for promoting

international cooperation in the economic, social, cultural, educational, and health fields and for assisting in the realization of human rights and fundamental freedoms. Under paragraph 1 (a) of article 13—the paragraph embraced in the study of the Interim Committee—the Assembly has already launched a program for encouraging the progressive development and codification of international law. But only with the adoption last year of the resolution on the Interim Committee has the Assembly turned its attention specifically to the discharge of its responsibility of initiating studies for the promotion of international cooperation in the political field.

While history reveals a long record of international political cooperation, the record is marred by the tragic failure of international cooperation in the past to avoid the calamitous test of right by might through ordeal by battle. We have pledged ourselves under the Charter to refrain from the use of force or the threat of force except in defense of law, except in defense of the principles of

¹ Made on Dec. 6, 1948, and released to the press by the U.S. Delegation to the Third Regular Session of the General Assembly on the same date.

the Charter. But if we are to eliminate force in international relations, we must eliminate the causes of war or find other means than force for dealing with the causes of war.

The Charter contains broad principles. While some of them are definite, some of them are vague. The handling of specific disputes in the Security Council may, case by case, give greater content and definiteness to these principles and may throw additional light on the effectiveness of different procedures and techniques for resolving disputes and facilitating international cooperation, but that is a slow process in a rapidly moving world.

There is much to be gained, I think, from realistic studies of the principles of international cooperation in the political field in an atmosphere that is not surcharged by the pressures, prejudices, passions, and interests that cluster about highly controversial disputes, even when the controversies are of relatively minor importance. It is for that reason that the work of the Interim Committee in this field started on a modest basis and in an unobtrusive way merits our interest and continued support.

The United States Delegation is pleased to note that the Assembly in reestablishing the Interim Committee has authorized it to consider systematically, using as a starting point the recommendations and studies of the Interim Committee which are now before us, the further implementation of article 11, paragraph 1, and article 13, paragraph 1 (a) of the Charter.

We cannot of course predict in detail what the results of such a comprehensive survey will be. We do not expect that this survey and study should provide definitive rules and principles which should cover the whole field of pacific settlement and be valid for all time and under all circumstances. Rather it is hoped that the survey and study will make available facts and ideas which will be helpful in the progressive and evolutionary development of pacific settlement within the framework of the Charter.

In continuing its work on this study and survey it is my understanding that the Interim Committee will avail itself of the assistance of the research and scholarly contributions of public and private groups. It has already had valuable assistance from certain studies made by the Secretariat. It should also be able to request aid from the International Law Commission of the Assembly in important aspects of its work.

It is important in our view, however, that the Interim Committee should continue to control the survey and study as a whole. Naturally the Interim Committee, composed of a large body of political representatives, has certain limitations in a task of this sort. The Committee needs, and should be in a position to avail itself of, expert assistance. But nonetheless a political committee conscious of its political responsibilities is neces-

sary to give vitality to the work and to prevent the study and survey becoming excessively theoretical and impractical.

In addition to its general recommendation for the continuance of the survey of the problems of pacific settlement, the Interim Committee has recommended three specific proposals for adoption by the Assembly.

One of them relates to the establishment of a panel from which members of a commission of inquiry or conciliation may be drawn by states or organs of the United Nations. This proposal originated from a joint suggestion of China and the United States to the Committee and is in the form of a draft resolution which may be found in annex IV of the Committee's report. The establishment of the panel would be a means of having readily available a list of individuals of known competence from which a commission could be chosen on short notice. It is a flexible device involving no substantive obligation on the part of any state to use it. It embodies the principle of the uninstructed commission, since members selected from the panel would be chosen on the basis of the contribution which they as individuals might be expected to make and full biographical data would be available to assist members or organs in the selection of panel members. The panel itself would in no sense be an organ—merely a list or registry of names. The plan lends itself for use by the Security Council and other organs of the United Nations and would also be available at all times to states desiring to use it. The employment of the panel being fully voluntary, there would be no conflict with existing treaties providing for peaceful settlement and containing other panel provisions.

Another proposal of the Interim Committee originating from suggestions submitted by the United Kingdom relates to the appointment of a rapporteur or conciliator at an early stage in the consideration of disputes or situations brought to the attention of the United Nations. The proposal is in two parts; one part relates to the Security Council and the other to the General Assembly.

The draft resolution contained in annex III recommends that the Security Council examine the utility and desirability of the practice of appointing a rapporteur or conciliator for a situation or dispute brought to the Council. This is a practice which was successfully used in the Council of the League of Nations and which the Security Council has already found useful in some cases. The proposal is flexible and involves the creation of no machinery. We think the proposed resolution is a constructive suggestion and we urge that this committee recommend its adoption.

Annex II proposes amendments to the rules of the General Assembly so as to introduce a somewhat similar practice in the handling of disputes

or situations brought to the Assembly. Our Government concurred in these proposed amendments when they were suggested in the Interim Committee. We agree with their objective which is to introduce efforts towards conciliation at an early stage in the consideration of disputes before the Assembly. But on further thought we are inclined to believe that it would be premature to attempt to incorporate any particular practice of conciliation into the rules of procedure of the Assembly at this time. The presentation of disputes in the Assembly would not invariably conform with the method of presentation in the Security Council. There would not necessarily be opening statements by the parties in the General Assembly, particularly where one of the parties was not a member of the United Nations. We would prefer to see this proposal put over for further study by the Interim Committee in the course of its future systematic study.

The third specific proposal of the Interim Committee is designed to restore full effect to the general act of 1928 for the pacific settlement of disputes. It is contained in the draft resolution in annex I of the Committee's report. It was introduced by Belgium. The resolution provides a convenient means by which those states which have adhered to this act or may wish to adhere to it may accept a revised act which will replace the references to the League of Nations and its officers with reference to appropriate United Nations organs and officers. The United States, not being a party to the general act, nonetheless supports this proposal in that it will aid other states in rendering effective, between themselves, a pacific settle-

ment treaty. The act provides appropriate means for the parties thereto to fulfil their obligation under article 33 of the Charter to attempt to settle their disputes before coming to the United Nations.

Our Delegation, Mr. Chairman, believes that the Interim Committee has made a commendable start in the study of means of promoting international cooperation in the political field.

The press has few headlines on this work of the Interim Committee. It is the forum in which ideas can be advanced and debated and then withdrawn without involving the prestige of the member or his government. It was the practice not to take a vote which would draw the line sharply upon issues where a substantial division of opinion developed. But it would be a mistake to conclude that these have been theoretical and academic discussions only very indirectly related to the issues which press about us. Already we can see areas in which the gap between the theoretical and the practical will be closed. We can expect improvement in United Nations procedures from practical and objective study of their operation. We can expect the channeling of the interests and abilities of learned societies throughout the world into the studies which are the material with which the Interim Committee must work. Similarly, the Secretariat will be afforded the opportunity for the type of analysis and compilation that will bring to bear the knowledge and experience of many of its members upon these problems. The work of the Interim Committee extends beyond the immediate political dispute to the strengthening and development of the Charter as an instrument of peace and justice.

Discussion of Chilean Proposal Relating to Soviet Wives of Foreigners

STATEMENT BY ERNEST A. GROSS IN LEGAL COMMITTEE¹

Alternate U.S. Representative to the General Assembly

Mr. Chairman, the item proposed by Chile with respect to the Soviet wives of foreigners is a good illustration of the saying that history repeats itself. In the sixteenth century, the Danish Government requested the Russian Foreign Office to allow the wife of the Danish Ambassador, whom he married in Moscow, to leave for Denmark. The Russian Foreign Office rejected this request with the following observation:

¹ Made on Dec. 1, 1948, and released to the press by the U.S. Delegation to the Third Regular Session of the General Assembly on the same date. Mr. Gross is Legal Adviser for the Department of State.

"For it is not the custom in our domains for us to give free men in bondage; and this applies not only to the people of our domains, but also to those of others who reside in our domains; that woman is of our domain, and it would be unseemly to give that woman in bondage to your man Sider."

In considering the problem of the prevention by the Soviet Union of Russian wives of foreigners from leaving Soviet territory, are we to conclude that the Soviet Union still clings to the sixteenth century conception? To most of us the right of a wife to accompany her husband wherever he may go is so basic that we cannot understand how any government could oppose it. Yet let us

outline briefly the record of the Soviet Union in cases in which the United States has an interest.

From the time of the recognition of the Soviet Government by the United States in November 1933 to the present time, no more than 50 Soviet wives of American citizens have been permitted to leave the Soviet Union and there now remain 350 Soviet wives and 65 Soviet husbands of American citizens who have applied for permission to depart from the U.S.S.R. Of this group 97 are wives of American war veterans.

Since 1945, the United States Embassy in Moscow has repeatedly taken up the question of the Soviet wives of American citizens with officials of the Soviet Foreign Office. A number of official communications addressed by the United States Government to the Soviet Government have remained unanswered. In April and June of 1947, the Embassy in Moscow requested from the Soviet Foreign Office assistance in permitting the departure from the Soviet Union of the wives of American war veterans. In these cases almost all of the individuals were married to American citizens before World War II in territories which were not then incorporated in the Soviet Union. Soviet citizenship was conferred on these wives without their specific application by blanket decrees which gave Soviet citizenship to persons residing in those territories taken over by the Soviet Union. On June 11, 1947, Mr. Malik replied on behalf of the Soviet Ministry of Foreign Affairs to the effect that "The Ministry of Foreign Affairs of the U.S.S.R. cannot render any assistance to the Embassy in this matter". The last communication which the United States Government has addressed to the Soviet Union on this subject was sent on February 14, 1948, and to this date remains unanswered.

It is known that within recent months the Soviet authorities have advised many Soviet wives in Moscow whose husbands have returned to the United States that they should obtain divorces and abandon any idea of joining their husbands in the United States.

It is difficult to conceive of a violation of the fundamental human rights of family and marriage more flagrant than the action of a government in preventing the unity of the family by prohibiting the wife from departing from its territory and additionally to advise divorce as the only alternative.

We find it moreover very difficult to reconcile this record of the Soviet Government with the position that Government has taken on the subject of marriage in this General Assembly. The Soviet representative in Committee 3 only several weeks ago introduced the following amendment to article 1 of the draft International Declaration of Human Rights: "Men and women shall enjoy equal rights both *during* marriage and when divorced." This amendment has been incorporated into article

14, which Committee 3 has approved by a vote of 37 to 3, with 3 abstentions.

The Soviet Representative spoke eloquently and at length in Committee 3 in support of his amendment. In the meeting of Committee 3 on November 6, he said that "the Preamble to the Charter expressly declared the equality of the rights of men and women. To achieve that equality is one of the main aims of the United Nations. The U. S. S. R. Delegation has always advocated the fullest and most consistent equality between men and women."

On November 8, the Representative of the Soviet Union speaking in Committee 3 said, "that the Committee must take all the necessary steps to insure absolute equality between men and women."

He further said that "the purpose of his amendments was not to encourage divorce but to insure the equality of husband and wife during marriage and in the case of divorce as well as the effective protection of the family by society and by the state".

How can a wife enjoy equal rights with her husband during marriage if she does not have the same freedom as her husband to travel and to live where they choose? What is the Soviet concept of "effective protection of the family by the state"? That a government should prevent a wife from joining her husband and should advise her to get a divorce?

The importance of the right of a wife to accompany her husband has been emphasized by the United Nations Commission on the Status of Women. During its 1948 session, this Commission forwarded to the Economic and Social Council an observation noting with satisfaction that the draft Declaration of Human Rights contained a provision declaring the right of freedom of choice of one's spouse. In this connection, the Commission suggested that this right cannot be fully guaranteed unless it is recognized that individuals have the right to leave their country on marriage and to reside with the other partner in any country from which they cannot lawfully be excluded. In consequence of these observations, the Economic and Social Council adopted a resolution deploring "these legislative or administrative provisions which deny to a woman the right to leave her country of origin and reside with her husband in any country".

Mr. Chairman, I think the Committee should know that the Soviet policy towards Soviet wives of foreigners is but one aspect of the general Soviet policy with respect to the right of travel and residence. In order that the committee may fully appreciate the gravity of the situation from the standpoint of fundamental human rights, I submit the following facts for the record.

In September 1948, there were on record in the U.S. Embassy in Moscow 5,481 cases of persons who had expressed a desire to travel to the United States from the Soviet Union since 1940. Of this

number, 3,481 were applicants for immigration visas into the United States with no claim to American citizenship. Only 27 persons in this immigration category who were regarded as Soviet citizens have been successful in obtaining exit visas since July 1945.

Among the persons residing in the Soviet Union and desirous of departing therefrom are many with valid claims to American citizenship. Nevertheless these persons have been refused Soviet exit visas. Among them are 108 persons whose American citizenship has been approved by the Department of State and who have no claim whatsoever to Soviet citizenship. Another group of 89 are under detention in the Soviet Union. Of this group the United States citizenship of 31 has been verified and the cases of the remaining 58 who are believed on the basis of available evidence to be American citizens are under investigation by the Department of State. The Soviet Government has refused to inform the United States Government of the nature of the charges against these persons and the United States diplomatic officers have not been permitted to interview them. Other persons desiring to leave the Soviet Union include 248 who possess both American and Soviet citizenship, 439 whose claims to American citizenship are considered valid but whose status under United States and Soviet laws awaits final verification, and 1,270 possessing dual nationality whose American citizenship claims have not yet been verified.

Therefore, as of January 1, 1948, there were residing in the Soviet Union 826 persons claiming American citizenship who have been prevented from proceeding to the United States by the action or inaction of the Soviet Government. Since 1940, a total of no more than 12 persons in dual national status with claims to American citizenship have been accorded exit visas by the Soviet Union.

It is well known that the attitude of the Soviet Government toward individuals differs in marked respect from that held by most other nations. The Soviet citizen within his own country is subject to innumerable controls. The system of internal passports in effect in the Soviet Union prevents the Soviet citizen from free choice of residence. At the same time he is prevented from travel abroad; in almost no case is a Soviet citizen ever given an exit permit to travel abroad for personal reasons. Therefore the prevention of Soviet wives of foreigners from leaving the Soviet Union is consistent with the conception of the state's absolute control over the individual held in that country.

In this connection, I should like to refer again to the draft Declaration of Human Rights. While we know that this Declaration is not intended to be a statement of rules of law binding upon members of the United Nations, I think most of us agree that all members of the United Nations should strive to promote respect for the rights and free-

doms set forth in the Declaration and also should strive to secure their universal and effective recognition and observance. Now Committee 3 has recently approved by a vote of 37 to 0, with 3 abstentions, an article 11, which reads:

"1. Everyone has the right to freedom of movement and residence within the borders of each State.

"2. Everyone has the right to leave any country including his own, and to return to his country."

We are very sorry indeed, Mr. Chairman, that at this time, when the General Assembly is about to proclaim the basic principles of human rights and freedoms "as a common standard of achievement for all peoples and all nations", a member of this organization is pursuing policies so completely inconsistent with these principles. In particular, we regard the Soviet policy toward the Soviet wives of foreigners as showing the most flagrant disregard of the fundamental human rights of family and marriage.

The United States therefore condemns this violation by the Soviet Union of fundamental human rights and hopes that the Government of the Soviet Union will recognize its obligations under the Charter to encourage respect for human rights and for fundamental freedoms for all, by permitting those Soviet wives of foreigners to join their husbands.

The Soviet Union has argued that article 7, paragraph 7, of the Charter precludes this Committee from considering the problem. It must be clear to everyone that this provision of the Charter could not possibly apply to the case of the Chilean Ambassador's daughter-in-law. Every law student knows that questions of diplomatic privilege and immunities are among the most fundamental in international law. From earliest times, relations between states have been founded on the mutual recognition of certain rights and privileges for those who represent a sovereign state. The question of specifying those rights and privileges is one for international and not national decision. My Delegation deplores the fact that the Soviet Government rejected proposals by the Chilean Government that the case of the Ambassador's daughter-in-law be submitted to the Arbitration Tribunal or to the International Court of Justice, of which both Chile and the Soviet Union are members.

We also feel that article 2, paragraph 7, does not preclude this Committee from considering the many cases of Soviet wives prohibited from leaving the Soviet Union. In our view, the General Assembly has the right, under article 10, to discuss this matter of violation of human rights. Moreover I should like to remind the Soviet Delegation that his Government has found no difficulty

discussing the human-rights problems of other countries on many occasions in the General Assembly.

I will reserve the right to speak again in connection with the detailed drafting of whatever resolution the Committee may decide to adopt. In conclusion, however, I should like to affirm that my Delegation agrees in principle with the Delegation of Chile that the acts of the Soviet Union in deny-

ing the right of the wives, both of diplomats and of foreign citizens, to depart from its territory violate the fundamental principles of the Charter.

The international community will attain solidarity and strength on the basis of universal respect for international law and the fundamental human rights. I hope that the Soviet Union will recognize its responsibilities under the Charter to work toward the attainment of these objectives.

Adjournment of the General Assembly in Paris

STATEMENT BY JOHN FOSTER DULLES¹

Acting Chairman, U.S. Delegation to the General Assembly

Historians will, I think, refer to this session as the Human Rights Assembly. We have met in a country where the Declaration of the Rights of Man was inspired. We have met on a continent which has seen mankind's greatest struggle against tyranny. And we have met at a time when the paramount issue is the preservation of human freedom. Time and place are combined to welcome actions which will give immortality to this Assembly: adoption of the Universal Declaration of Human Rights. Furthermore we have given historic support to this Declaration by approving a convention on genocide and by taking many concrete actions showing our fidelity to high principles of the Charter.

Only one element is needed to make this moment a source of great hope for all mankind: The loyal fulfilment of the decisions which we together make and the earnest respect for international judgments here expressed. This element is absolutely essential to orderly international life. Only thus can we enhance the authority of international decisions. Only thus can we build the authority of the United Nations.

Most of the problems we have faced here have been the direct result of the failure to hold to the determination we jointly expressed in the Charter to practice tolerance and live together as good neighbors. That is the root cause of our failures. It is the threat to our successes. Nevertheless, debates here have revealed increasing unity among the great majority of the member states. They

have also helped eliminate those dangers to peace which arise from miscalculation. It is perfectly clear an aggressor can no longer hope to vanquish his victims one by one.

Any aggressor will have to count on solid and not divided resistance. That is a detriment to war and a fact that should dispel the fear that tends to paralyze the will to recovery and the determination to work for peace. Therefore, I say, let's stop speculating about the next war.

I could not close these remarks without expressing my Delegation's deep appreciation for the warm and generous hospitality extended to us by the Government and by the people of France. I feel also that a special word of gratitude is due also to the members of the secretariat whose devoted service is as unflagging as it is indispensable.

We adjourned tonight and we leave France. But we leave with renewed determination to go on to discharge our Charter obligations and fulfil the aspirations of our peoples. Only by full collective action can we obtain the strength, stability, and unity which can make this era one of peaceful production, of new intellectual achievement, and universal respect for the fundamental rights of freedom. Such an era is possible. History may prove it had its beginning here at this Human Rights Assembly. The promise of the future is a challenge to all men of good will.

¹ Made at the closing meeting of the General Assembly on Dec. 12, 1948, and released to the press on Dec. 13.

CORRECTION: The *Ad Hoc* Political Committee's resolution on admission of Austria to the United Nations is given in its entirety in the BULLETIN of December 19, 1948, page 754. Footnote 1 on this page should read, "U.N. doc. A/AC.24/30, Nov. 27, 1948; adopted by *Ad Hoc* Political Committee on Nov. 27, 1948."

Two Years' Activity of the International Children's Emergency Fund

BY MRS. FRANKLIN D. ROOSEVELT IN COMMITTEE III¹

U.S. Representative to the General Assembly

As far back as a year ago, the Assembly passed a resolution in which it expressed its satisfaction with "the concrete work already accomplished by the Fund". At its most recent session, the Economic and Social Council likewise took favorable action regarding the Children's Fund.

The General Assembly launched the Children's Fund two years ago. But it was only about a year ago—after the complicated business of buying, shipping, and distributing of special supplies for mass feeding of children—that the Fund began actually to dispense milk and cod liver oil to children in devastated countries of Europe. Since then, the Fund has been bringing positive help steadily to what we should perhaps consider the most important part of the populations of those countries.

UNICEF—as the organization is now familiarly called—has been providing nearly four million children in Europe in the neediest areas with a daily supplement of protective food, composed mainly of milk, special processed meat, and fish oil rich in vitamins. Twenty-five countries have contributed money, supplies, or services. Twenty countries have already been the recipients of Children's Fund benefits, and eleven others are actively developing programs for UNICEF assistance in addition to British territories in the Far East. Twenty-six countries are on the Executive Board of the Fund. Contributions have come in the form of currency, cod-liver oil, wool, labor to make raw hides or leather into children's shoes, transportation of supplies, and a thousand and one different services. This has been a work of cooperation of the first importance, not only for its immediate objectives, but as an example of the way we can all work together once we agree on a purpose. Naturally, the determination to help the coming generation in devastated areas through a time of acute emergency has been a cause of great appeal.

More than 148 million pounds of powdered milk, over 30 million pounds of fish oils and fats, 5½ million pounds of canned meat and fish and 10 million pounds of other foods have moved through UNICEF channels for use in Albania, Austria, Bulgaria, Czechoslovakia, Finland, France, Greece, Hungary, Italy, Poland, Rumania, Yugoslavia, and China.

Enlargement of the scope of UNICEF activity

¹ Excerpts from a statement made on Dec. 2, 1948, and released to the press by the U.S. Delegation to the General Assembly on the same date.

has taken place recently in several ways. First, the original feeding program has been augmented by an antituberculosis campaign using in Europe the new BCG serum now produced in quantity in Denmark, a country which has donated large amounts of serum to the Fund. About 40 million children in Europe are being tested, and all who react negatively—estimated to be only about 1 million unfortunately—are receiving the inoculation, which protects them for two or three years as they go back to their families in areas where tuberculosis has become practically epidemic as a result of the war. Other medical campaigns are directed against venereal disease in children and against malaria, and the DDT used for malaria control has been found—through a happy accident—to reduce infant mortality in a spectacular degree.

Secondly, UNICEF has been able to follow up its policy that these emergency measures should utilize and strengthen "permanent child health and welfare programmes". For example, the Fund accepted the offer of the French Government to conduct for UNICEF a child-health-and-welfare training program at the University of Paris, and offers of other training programs in Sweden and Switzerland. It has allocated 2 million dollars for equipment to increase production of milk powder within countries where this step would provide both emergency and long-term benefits for child health.

In the third place, the Fund has been expanding its geographical scope of operations to far-flung regions of the East outside China—to include Indonesia, Indochina, Siam, the Philippines, United Kingdom territories, Burma, India, Pakistan, Ceylon, and also North Africa. From Latin America, two doctors have gone to Europe for study on fellowships arranged by the Fund, in order to apply the new antituberculosis method widely for the benefit of children in the Western Hemisphere. A UNICEF nutritionist has been acting as consultant in Latin America on problems of child nutrition and school feeding and has made a survey tour and reported on child health and nutrition in Paraguay, Chile, Bolivia, Peru, and Colombia. About three weeks ago, the Executive Director of the Fund wrote the governments of all twenty Latin American Republics in response to a request to explain in detail the medical and technical programs of UNICEF which might be most suitable and helpful for application in those

countries. Mexico, among other countries, has recently applied for assistance through a BCG antituberculosis program. A new and unusual call for help came last August on behalf of Arab and Jewish refugees in Palestine. Responding instantly to this appeal, the Fund first made available about half a million dollars of its resources for a two-months' emergency program in Palestine. Less than a month after the Executive Board acted, the first UNICEF supplies from overseas reached Beirut for distribution through Palestine. Last September the progress report of the mediator on Palestine already stated: "This allocation . . . has served as the *foundation* for the program of immediate relief." A few weeks ago, reviewing the initial UNICEF operations and the outlook for the winter in Palestine, the Executive Board decided to devote 6 million dollars more to this work.

The success of the Children's Fund has been outstanding enough to justify an examination of the kind of organization it is and the principles on which it operates. In the original resolution, which I have already mentioned, the Assembly decided that "the Fund shall consist of any assets made available by UNRRA, or any voluntary contributions made available by governments, voluntary agencies, individuals or other sources." So far, much of the greatest part of the Fund's resources has been provided by UNRRA and by governments. At a recent meeting of the Executive Board, it was reported that out of a total of more than 100 million dollars of resources, actual or reasonably to be anticipated, only about 8 million dollars had not come from governments and from UNRRA.

UNICEF has maintained important principles. First, supplies going to each country must, in a general way, be matched by supplies or services provided within that country itself, from its own resources. Another principle is that distribution of UNICEF supplies or other assistance should be "on the basis of need, without discrimination because of race, creed, nationality status, or political belief." That appears in the original resolution. Again, receiving countries must submit satisfactory reports on the use of UNICEF aid, and the Fund asks that due recognition be given within receiving countries to the United Nations character of its assistance. My Government holds that we should recall and reaffirm these principles today. We are gratified by the evidence that there has been a concerted attempt to follow them as closely as possible in administering the trust of the Children's Fund. This has been no easy task, requiring a far-flung field staff to provide liaison with local authorities and to work with both governmental and nongovernmental groups having responsibility for distribution of the Fund's resources.

Looking back to the day two years ago when the Fund was created, it will be remembered that at that time the work of most specialized agencies

now associated with the United Nations was to a large extent in its infancy, or had not started at all. Only in the last few months has the World Health Organization formally come into existence. It is natural, therefore, to consider means by which the Children's Fund and the specialized agencies—such as the WHO and FAO and UNESCO—can best reinforce each other's work on behalf of children. At the very beginning of the UNICEF feeding program, one notices the excellent example of joint action with the WHO and FAO to select particular foods for needy groups of children to be assisted in the distressed areas. This decision took into account questions of nutrition, availability of foods during the period of acute shortage, as well as procurement, shipping, and distribution.

It may be well to point out that, while most of the specialized agencies are principally advisory in character and their funds are largely for administrative purposes, the Children's Fund is a *supply* organization with money to buy milk and medicine, as well as to provide general administration. The importance of keeping these distinctions clear and the operating relations as precise as possible explains why my Government views with approval the establishment by the Children's Fund and the WHO of a Joint Health Committee, and why we went so far as to introduce the paragraph in the resolution of the Economic and Social Council which "notes with approval the arrangements for cooperation which have been achieved by the World Health Organization and the International Children's Fund".

While the United States has always taken the closest interest in the work of the Fund, as shown by its membership on the Executive Board and the various committees, and has followed the day-to-day operations with care, perhaps the greatest evidence of support has been the very definite fact that we have appropriated 75 million dollars to the Fund. Of this sum, about 48 million dollars has already been made available to the Children's Fund, according to the terms of the appropriation. Roughly speaking, these terms provide that for every \$28 contributed by other countries, the United States will contribute \$72, up to the full 75 million dollars.

In order to engage the 27 million dollars or so which has not yet been drawn on by the Fund, some 10 million dollars are needed for other countries. However, the report of the Fund's Executive Board mentions, not 10 million dollars, but 20 million dollars in this connection. Undoubtedly, this refers by implication to an additional 25 million dollars which has already been authorized by the United States Congress but has not been appropriated. Just to avoid any possible misunderstanding, I would like to explain that it would be prejudging the action of Congress to assume that this additional 25 million dollars will, in fact, be appropriated.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

Inter-American Conference on Rehabilitation of the Crippled and Disabled

BY MICHAEL J. SHORTLEY

Chairman, United States Delegation

The First Inter-American Conference on Rehabilitation of the Crippled and Disabled was held at Mexico City from July 18 to 24, 1948. It was sponsored by the International Society for the Welfare of Cripples (formerly the International Society for Crippled Children) and was under the auspices of the Mexican Government through its Department of Public Health and Welfare. The International Society for the Welfare of Cripples, domiciled in the United States, has for its purpose to promote, generally, the welfare of the crippled throughout the world.

Although this was the first Inter-American Conference, four World Congresses of the Society had previously been held. The First World Congress under the auspices of the Society took place at Geneva in 1924, with subsequent Congresses at The Hague (1932), Budapest (1936), and London (1939). The convening of these World Congresses was suspended during the war, but a fifth World Congress is now being planned. Greece, Italy, Sweden, and Czechoslovakia are being considered by the Society as possible sites.

Several official and unofficial agencies in the Americas participated in the Conference. Argentina, Bolivia, Canada, Colombia, Costa Rica, Cuba, the Dominican Republic, Ecuador, France, Guatemala, Honduras, Mexico, Nicaragua, Peru, Puerto Rico, Spain, the United States, and Uruguay were among the nations represented. The United Nations also sent representatives.¹

The Opening Plenary Session

The introductory address was made by Dr. Juan Farill, president of the International Society for the Welfare of Cripples, who traced the history of the founding of the International Society for the Welfare of Crippled Children by Edgar Allen in the United States.

Dr. Farill made a strong plea for the prevention of injuries and stated that prevention is more important than rehabilitation.

Dr. Farill pointed out that conditions in Latin America, with the exception of a few nations, are tragic. Some Latin American countries are without a single specialist in orthopedic surgery, and

others do not have this service in their hospitals. In some, orthopedics is not taught in the universities.

Labor legislation, said Dr. Farill, should provide that all those workers who suffer a definite incapacitation should be compensated mainly by occupational rehabilitation. Besides this rehabilitation, there would or would not be granted, as might be decided, a financial indemnification taking into consideration the time lost by the worker and the economic disadvantage he might suffer in this new employment in comparison with the old. The speaker then called for legislation in each country to provide for prevention of disabilities and for the maximum physical recuperation, the education, the vocational training, and remunerative employment of every cripple without distinction not only as to race, nationality, or religion, but also without distinction as to political partisanship or the social or economic position of the invalid.

The aims of the Conference as stated by the Society were "(a) To initiate and promote rehabilitation services in Latin America; (b) To help them organize in a modern way; (c) To know the real condition of the crippled in every country of this Continent and the means which are available for their rehabilitation; (d) To adopt a minimum five-year program for this purpose in Latin America; (e) To promote official and public in-

Officers

President: Dr. Juan Farill, Mexico

President Elect: Dr. Henry H. Kessler, U.S.A.

Secretary-General: Bell Greve, U.S.A.

Treasurer: R. W. Hopper, Canada

Vice Presidents:

Africa: Mrs. Andrew Kerr, Union of South Africa

Asia: Lady Abrahams, Ceylon

Europe: Sir Geoffrey K. Peto, K.B.E., England, and

Dr. Paul Guildal, Denmark

North America: Col. E. W. Palmer, U.S.A., and

R. W. Hopper, Canada

South America: Dr. J. M. Jorge, Argentina

¹ For a list of the United States Delegates to this meeting, see BULLETIN of July 25, 1948, p. 122.

terest, cooperation of official and private agencies and improve institutional relationships among countries of this Hemisphere."

The official inauguration address was given by Dr. Rafael C. Gamboa, Secretary of Public Health and Welfare of the Mexican Government, who extended a hearty welcome to the delegates.

The Scope of the Conference

More than fifteen formal papers were presented at the plenary sessions. They covered varied aspects of the field of rehabilitation and included addresses on the subjects of employment of the handicapped, the diagnostic clinic for rehabilitation, vocational education and rehabilitation of the disabled in Puerto Rico, social rehabilitation of the crippled, rehabilitation centers in Latin America, public understanding of work for cripples, education for crippled children in the United States, principles of administration of programs for crippled children, convalescent care for children, practical considerations on legislation for crippled children, and vocational rehabilitation.

The section meetings covered subjects such as rehabilitation of the blind, labor accidents, orthopedics, educational and vocational rehabilitation, social service in rehabilitation, therapy rehabilitation, and orthopedic nursing.

The Closing General Assembly

On the last afternoon of the Conference, Dr. José Luis Bado, of Uruguay, presented a series of resolutions outlining a minimum five-year program for adoption by the delegates. These resolutions were presented in an address entitled "Assistance to the Handicapped is an Obligation Pertaining to the State".

The principal theme of Dr. Bado's address was that the care of the handicapped should be imposed by law. He also made a strong plea for compulsory reporting of all handicapped cases by physicians, teachers, and parents to an institute created for the rehabilitation of the disabled. He advocated that all employees of the government and of private enterprises (industrial, commercial, banking) be obliged to take part in an "accident insurance" to the extent of 4 percent of their salary.

Dr. Bado visualized also as a part of this minimum five-year program a technical board connected with the rehabilitation institute which could organize recuperating and rehabilitating centers, including:

- (a) Diagnostic clinics;
- (b) Specialized surgical services;
- (c) Offices for prosthesis;
- (d) Clinics where the use of orthopedic appliances would be taught;
- (e) Workshops for rehabilitation and reeducation;

- (f) Departments of social service which would also have charge of finding places in the community for the rehabilitated.

The resolutions as originally presented provoked considerable discussion from delegates of almost all the nations. After free discussion of each of the resolutions, there was unanimous agreement on 18 resolutions.

Resolutions Adopted

The work of the Conference culminated in these resolutions, which constitute the final act:

1. Rehabilitation shall not be considered a charity but shall be regarded as the right of every disabled person in the Americas.
2. The state as the highest authority of society has the obligation to serve the disabled regardless of age, sex, race, color, or religious or political affiliation.
3. The right of disabled persons to receive a complete range of rehabilitation services shall be universal.
4. Nations not having a well developed plan for rehabilitation should create a comprehensive plan for a rehabilitation program, in accordance with national possibilities.
5. Specialized centers shall be established for the purpose of rehabilitating disabled persons, and programs designed to prevent disablement shall be initiated.
6. Concerning the establishment of specialized rehabilitation centers, it is recommended that such centers have for their purpose physical and educational recuperation and vocational and socio-economic rehabilitation, with psychiatric care included. Such centers shall be under the jurisdiction of designated authority and shall have as their aim the return of the rehabilitated individual to society.
7. Each nation should initiate, organize, or intensify accident prevention campaigns and establish a broad public educational program as to the causes of disability.
8. In all industrial accidents, the insurance company or agency, whether it is state or private, shall first provide for the rehabilitation of the injured. Any money involved shall be to compensate for remaining disabilities and shall be in the nature of a life-long retirement plan.
9. A system for the reporting of disabilities shall be established in all nations.
10. Reports of disabilities shall be received by a Technical Board which shall have the responsibility of determining the possibility of rehabilitation.
11. For disabled persons who cannot be rehabilitated, there shall be provided proper convalescent homes or other such facilities or, if necessary, life-long aid in the disabled individual's own home, if the home is suitable.
12. The exploitation of cripples is condemned and it is urged that all legal means shall be used to discourage and prevent such exploitation.
13. It is recommended that compulsory study in orthopedic surgery and physical medicine, as well as special courses for nurses, affiliated technicians, orderlies and others necessary and needed in the program of rehabilitation, be established in universities and teaching hospitals.
14. Each nation should provide workshops for the production of prostheses and orthopedic braces according to

ACTIVITIES AND DEVELOPMENTS

up-to-date and scientific standards and for the training of mechanics and workers in such trades.

15. Nations are encouraged to foster the interchange of specialists and technicians, with the hope that postgraduate courses will be steadily developed for technical advancement.

16. Nations shall establish fellowships and scholarships for persons who desire to secure advanced training and are equipped for additional study in any one of the special services concerned with the entire welfare of the disabled and crippled person.

17. Private national agencies shall cooperate with other

national organizations and it is recommended that they seek affiliation with the International Society for the Welfare of Cripples.

18. It is recommended that handicapped children be educated under the usual school system and in regular classes insofar as it is to the best advantage of the children, or in special classes, when such classes meet more adequately the needs of the child.

The Conference was adjourned after the presentation of Dr. Henry Kessler, of the United States, as the new president of the International Society for the Welfare of Cripples.

Clarification of Press Policy Relating to FEC Deliberations

STATEMENT BY MAJOR GENERAL FRANK R. MCCOY¹

Chairman, Far Eastern Commission

The Soviet member of the Far Eastern Commission has issued a statement to the press concerning action taken by the Commission on a Soviet proposal regarding the level of economic life in Japan. It is not the custom of the Commission to publicize those measures which are proposed and considered but fail of agreement among its members. It was my understanding that this custom would be followed in this case. The Soviet member has nevertheless made public the fact that his proposal was rejected and has commented on the views of the opposing majority. Under these unusual circumstances, I feel it is my duty as Chairman, with the express authorization of a majority of the members, to clarify the situation to the public on the basis of Commission records which have been accepted by all members.

The Soviet proposal was that the Commission should adopt the following policy:

1. No limitations should be imposed upon the restoration and development of peaceful Japanese industry which seeks to satisfy the needs of the Japanese population, nor upon the development of exports in accordance with the needs of Japan's peaceful economy.

2. The revival and creation of Japanese war industry should be prohibited and there should be established, for a period of several years, a control over the fulfillment of this decision, to be exercised by the powers most interested in preventing a new Japanese aggression.

¹ Made on Dec. 10, 1948, and released to the press by the Commission on the same date. General McCoy is U.S. Representative on the Commission.

² BULLETIN of Mar. 17, 1946, p. 431.

After extended deliberations in which all members of the Commission participated, it developed that a majority opposed this proposal for the following reasons:

1. The first paragraph of the Soviet proposal was regarded by other members as vague or unnecessary since no limitations on the development of Japanese peaceful industry had ever been adopted or even considered by the Commission. On the contrary, the effect of all established policies of the Commission has been to permit such development without hindrance.

2. The second paragraph of the Soviet proposal as interpreted by its author to call for international control over war industries in Japan beyond the conclusion of a Japanese peace treaty, was regarded by other members as falling outside the jurisdiction of the Commission, which is not concerned with the post-treaty period.

While the press policy approved by the Far Eastern Commission in 1946 permits members of the Commission to make individual statements to the press,² it has been the custom of members during the ensuing two and one-half years to refrain from exercising this privilege in the interests of continuing cooperation. In view of the public statement of the Soviet member of the Commission in which comment was made on the views of other members, I consider it incumbent on me as Chairman to suggest that other members need not in this instance, feel obliged to adhere to the custom of refraining from the issuance of individual statements. Members of the Commission should therefore feel at liberty to express their views publicly on this important matter which has been considered by the Commission.

THE RECORD OF THE WEEK

Announcement of Intention To Enter Into Tariff Negotiations in April 1949

The Interdepartmental Trade Agreements Committee on December 17 issued formal notice of intention to negotiate with Colombia and Liberia for reciprocal reduction of tariff and other trade barriers and for accession of those countries to the General Agreement on Tariffs and Trade concluded by the United States and 22 other countries at Annecy, France, on October 30, 1947. Colombia and Liberia will join with 11 other countries in the negotiations scheduled to begin at Geneva on April 1, 1949. The Trade Agreements Committee notice was accompanied by publication of lists of articles on which United States tariff concessions might be considered in the negotiations with Colombia and Liberia.

The Trade Agreements Committee also published on December 17 supplementary lists of articles on which United States tariff concessions might be considered in the forthcoming negotiations with 9 of the 11 countries regarding which notice of intention to negotiate was given and lists were published by the Committee on November 5, 1948. Those countries are: Denmark, the Dominican Republic, Finland, Greece, Haiti, Italy, Peru, Sweden, and Uruguay. No supplementary lists have been issued for the remaining two countries, El Salvador and Nicaragua.

No United States tariff concessions will be considered, in the forthcoming negotiations, on any article not appearing on one of the lists published November 5, or on one of the lists published on December 17, unless it is subsequently included in future supplementary list. These lists are published in advance of the negotiations, in accordance with the provisions of Executive Order No. 10004 of October 5, 1948.¹

In the case of articles with respect to which imports from Cuba are entitled to preferential treatment, a modification of the rate in the negotiations will involve the elimination, reduction, or continuation of the preference, perhaps with an adjustment or specification of the rate applicable to the Cuban product. The situation will be comparable in the case of products on which the United States enjoys a preference in Cuba and with respect to which Cuba might negotiate with any other country.

The interdepartmental Committee for Reciprocity Information also announced that public hearings in connection with products appearing on the lists published December 17 and with U.S. exports to countries with which the U.S. intends to nego-

tiate, will open January 25, 1949; applications to appear at those hearings and written briefs and statements will be received until January 18, 1949. These hearings are held under section 4 of the Trade Agreements Act of 1934, as amended, which provides that any interested person shall have opportunity to present his views on any proposed trade agreement before its conclusion. Executive Order No. 10004 designates the Committee for Reciprocity Information as the agency to receive these views and to transmit them to the interdepartmental trade-agreements organization.

The lists of products made public have been transmitted by the President to the Tariff Commission as is required by the Trade Agreements Extension Act of 1948. Under that act the Commission must investigate, hold hearings, and report to the President in not more than 120 days, with regard to each item on the lists: (1) the extent to which United States tariff or other import restrictions may be reduced without causing or threatening serious injury to a domestic industry producing like or similar articles; and (2) what, if any, additional import restrictions are required in order to prevent such injury.

The Tariff Commission has announced hearings on the articles covered in the lists, to run concurrently with the hearings of the Committee for Reciprocity Information. Information submitted to the Tariff Commission, other than that accepted by the Commission as confidential, will be made available to the trade-agreements organization through the Committee for Reciprocity Information. Therefore, persons not wishing to present any information in addition to that which they present to the Tariff Commission may, but need not, appear before the Committee for Reciprocity Information. However, persons wishing to present additional information concerning possible import concessions, or views with respect to export concessions to be obtained by the United States, should appear before the Committee for Reciprocity Information.

Inclusion of a given article on any of the lists published November 5 or December 17 does not necessarily mean that a concession will be made on that article. The Trade Agreements Committee will make its recommendations to the President only after the trade-agreements organization has studied all the information received from the Tariff Commission and from the Committee for Reciprocity Information, as well as all other avail-

(Continued on page 809)

¹ 3 Fed. Reg. 5851.

Exchange of Persons With Eastern European Countries

REPLY OF DEPARTMENT OF STATE TO THE RECOMMENDATIONS OF THE UNITED STATES ADVISORY COMMISSION ON EDUCATIONAL EXCHANGE

December 10, 1948

DEAR DR. BRANSCOMB:¹

The recommendations of the United States Advisory Commission on Educational Exchange concerning educational exchanges with the countries of eastern Europe have been referred to me by the Secretary's office. We have studied the recommendations carefully.² The Commission's views coincide with United States foreign policy objectives. The Department will emphasize in its operations the methods recommended by the Commission for reaching these objectives. We are taking immediate steps to put your recommendations into effect.

Specifically, the Department agrees that free interchange of persons and ideas on a world-wide basis must be the long range objective of this program. We concur in your view that the effectiveness of Government-supported exchanges under Public Law 402 with certain eastern European countries is highly questionable as long as their governments remain unwilling to cooperate. Therefore such exchanges will not be established at this time. The Department keenly regrets that it is impossible at present to establish world-wide exchange programs on a reciprocal basis.

The Department will continue, however, to assist reputable American state, local and private organizations in promoting educational interchange with parts of the world where there is little understanding of the principles which should underlie such intellectual and cultural relations. This decision follows the Commission's recommendations.

The Department will maintain its vigilance in safeguarding the public safety and the security of our Government and free institutions, as you urged. The Department is in complete agreement with the Commission that it is desirable to restrict the travel of individuals sponsored by organizations generally recognized as subversive. Aliens whose intentions are deemed to be subversive, or who are or have been members of organizations professing such intentions, are considered inadmissible to the United States under our immigration laws. Students and scholars who succeed in

obtaining the permission of Communist-dominated governments to visit the United States for *bona fide* educational, cultural, and scientific purposes will frequently be considered by the United States consuls to be inadmissible under these laws. In such a case, the Attorney General of the United States has the legal authority under the 9th provision of section 3 of the Immigration Act of February 5, 1917, to authorize temporary entry of an alien otherwise excludable.

A sponsoring agency may petition the Attorney General to exercise his discretionary authority in such cases. The Department will support such request made by a reputable sponsoring agency in those meritorious cases where the Department believes that the advantages to the United States outweigh the possible disadvantages. Persons for whom entry is requested, however, should furnish evidence of their intent to participate only in activities consistent with the stated purposes of their visit. As the Commission suggests, such representations will be particularly appropriate in the case of international conferences, congresses and other meetings of an educational nature, which normally last only a short time.

We shall support your recommendations of precautions that should be observed when American students study in eastern Europe. The Department will emphasize to sponsoring organizations the desirability of limiting the exchanges to mature students who will be able to evaluate critically their experience in such countries. Upon request the Department will also try to inform these sponsoring organizations about the conditions in countries to be visited.

The Department intends to make public this exchange of correspondence and to circulate it widely among officers of the Department and the Foreign Service who may be called upon to assist. Any further instructions which are necessary for the guidance of these officers will be issued promptly.

I do not wish to conclude this letter without telling you and the members of the Commission that your recommendations reflect the serious thought you have given to the problems involved in these exchanges. The Department appreciates your advice.

Sincerely yours,

HOWLAND H. SARGEANT
Deputy Assistant Secretary
for Public Affairs

Department of State Bulletin

¹ Dr. Branscomb is chairman of the United States Advisory Commission on Educational Exchange.

² See BULLETIN of Oct. 31, 1948, p. 560.

Educational Exchange Agreement With Italy

[Released to the press December 18]

The Republic of Italy and the United States on December 18 signed an agreement under the Fulbright act, putting into operation the program of educational exchanges authorized by Public Law 584, 79th Congress. The announcement was made by the Department of State at a meeting of the Board of Foreign Scholarships appointed by the President to select persons to receive awards under the act.

The agreement with Italy was signed in Rome, with Ambassador James C. Dunn representing the United States and Count Sforza, Italian Foreign Minister, representing the Republic of Italy. George V. Allen, Assistant Secretary of State for public affairs, was present at the signing. The agreement provides for a United States Educational Commission in Italy to assist in the administration of the educational program financed from certain funds resulting from the sale of United States surplus property to that country. The present agreement provides for an annual program of the equivalent of \$1,000,000 in Italian lire for educational purposes. The program will include the financing of "studies, research, instruction, and other educational activities" for U.S. citizens in Italy, and for payment of round-trip travel for Italian nationals wishing to pursue similar activities in the United States.

Information about specific opportunities for American citizens to study, teach, or undertake research in Italy will be made public after the Commission in Italy has held meetings and an initial program can be formulated. Inquiries about these opportunities and requests for application forms should be addressed to the following three agencies: Institute of International Education, 2 West 45th Street, New York 19, N. Y. (for graduate study); United States Office of Education, Federal Security Agency, Washington 25, D. C. (for teaching in Italian elementary and secondary schools); and the Conference Board of Associated Research Councils, 2101 Constitution Avenue, NW., Washington 25, D. C. (for teaching at the college level and for post-doctoral research).

**Rumania Demands Recall of U.S. Officers;
U.S. Calls Charges Contrary to Fact**

Rumanian Ministry of Foreign Affairs to American Legation at Bucharest

[Released to the press December 11]

December 7, 1948

The Ministry of Foreign Affairs of the People's Republic of Rumania has the honor to bring the following to the attention of the Legation of the United States of America:

In view of facts revealed during the trial of a group of plotters, spies and saboteurs which took place before a military tribunal of the capital from October 27 to November 2, the Rumanian Government informs the Legation of the United States of America that it no longer desires the presence in the country of Colonel John R. Lovell, Military Attaché, and Mr. Henry P. Leverich, Counselor of Legation.

The Ministry of Foreign Affairs of the People's Republic of Rumania consequently requests the Legation of the United States of America to bring to the attention of the Department of State that the Rumanian Government desires their recall to be effected in the shortest possible time.

*U.S. Minister to Rumania (Rudolf E. Schoenfeld)
to Rumanian Ministry of Foreign Affairs*

[Released to the press December 11]

December 10, 1948

The American Minister presents his compliments to Her Excellency, the Minister for Foreign Affairs and has the honor to acknowledge the receipt of the Ministry's note of December 7 requesting the recall of Colonel John R. Lovell, United States Military Attaché, and Mr. Henry P. Leverich, Counselor of Legation. The Ministry asserts that the request is based on "facts revealed" during a recent trial of several Rumanians charged with espionage and sabotage.

The American Minister has been instructed by his Government to inform the Rumanian Government that while, in conformity with usual international practice, it is acceding to this request and arranging for the early departure from Rumania of these two officers, it rejects as ridiculous and entirely contrary to fact the grounds upon which the Rumanian Government presumes to base its request for their recall.

Tariff Negotiations—Continued from page 807

able data. Actual making of concessions will depend, of course, on the outcome of the negotiations.

The lists published November 5 and December 17 are based upon the language of the Tariff Act of 1930, but do not show existing rates of duty on the listed products. These rates are shown in *United States Import Duties (1948)* and supplement 1 thereto, published by the Tariff Commission and obtainable from the Tariff Commission, the Department of State, or the Department of Commerce and its regional and district offices.

For a list of products on which U. S. Tariff concessions may be considered, see Department of States press release 1015 of December 17, 1948.

Soviet Union Suspends Repatriation of Japanese From Siberia¹

The repatriation division of General Headquarters, SCAP, announced December 11 receipt of a letter from the Soviet Member, Allied Council for Japan, announcing that repatriation of Japanese from Siberia and other Soviet-controlled areas would be suspended until the resumption of navigation in 1949 because of climatic and icing conditions.

The spokesman for this division stated, "the Supreme Commander for the Allied Powers was profoundly disappointed to receive this notification of the intended suspension of Japanese repatriation during the ensuing months by which more than 400,000 hapless Japanese are condemned to a fourth winter in Siberia and other Soviet-controlled areas. This action has been undertaken in disregard of repeated offers made by SCAP of assistance in overcoming alleged navigational, climatic, and icing conditions."

The spokesman reemphasized the previous SCAP offers to provide:

(1) Adequate shipping for repatriation of Japanese in increments up to 160,000 persons per month.

(2) Icebreakers and other special facilities. This latest offer was made by SCAP in a letter on October 20, 1948, in order to assist the Soviets in overcoming difficulties allegedly presented by the winter repatriation of Japanese. This letter was never answered.

It was stated that the last regular monthly repatriation list in November realized the release of 37,929 repatriates, 12,071 below the 50,000 quota of the SCAP-Soviet repatriation agreement, thus marking the eighteenth consecutive month that the Soviets have failed to fulfil subject quota.

Following is the Soviet suspension letter received by SCAP on December 8, 1948, addressed to General Headquarters, Supreme Commander for the Allied Powers, Chief of Staff, Major General Mueller:

"DEAR GENERAL: This is to confirm the declaration of Captain second rank Yashin made December 3, 1948, to the representative of the Liaison Section, General Headquarters, SCAP, Captain Senka, that repatriation of Japanese, in compliance with paragraph four, section two, Agreement of December 19, 1948, is discontinued due to heavy climatic and icing conditions until navigation season of 1949."

¹ Statement released to the press on Dec. 11, 1948, by SCAP Headquarters in Tokyo. Printed from telegraphic text.

Uprising Overthrows President of San Salvador

[Released to the press December 15]

Reports from the American Embassy in San Salvador indicate that an uprising which occurred in that city on the afternoon of December 14 ended in a few hours with the overthrow of President Salvador Castaneda Castro. The revolt apparently was organized by younger army officers under the leadership of Lt. Col. Manuel Córdova. Martial law and a 10 o'clock curfew are in force. Lt. Col. Córdova has stated that free elections will be held. The Embassy states that no injury to American citizens or damage to their property has been reported.

Congressional Approval of U.S.-Canadian Agreement on Seaway Project To Be Requested

The Acting Legal Adviser to the Chairman of New York Power Authority

[Released to the press December 16]

December 15, 1948

MY DEAR GENERAL WILBY:

Reference is made to your call at the Department and correspondence concerning the application prepared by the Power Authority of the State of New York which it desired to have submitted to the International Joint Commission.

After careful consideration of this matter, this Government is of the opinion that in view of the shortage of power and the need for additional transportation facilities in the St. Lawrence region, it is desirable to renew the request to Congress for approval of the 1941 Agreement between the United States and Canada for construction of the seaway and power projects. Consequently, it would not be appropriate to take further action with respect to the proposed reference of this application to the International Joint Commission.

Sincerely yours,

For the Secretary of State:

JACK B. TATE
Acting Legal Adviser.

Letters of Credence

Uruguay

The newly appointed Ambassador of Uruguay, Señor Dr. Don Alberto Dominguez Cámpora, presented his credentials to the President on December 15, 1948. For texts of the Ambassador's remarks and the President's reply, see Department of State press release 1009 of December 15, 1948.

Department of State Bulletin

Continuation of Danger Area Surrounding Eniwetok Proving Ground

[Released to the press by the U.S. Atomic Energy Commission December 15]

The United States Atomic Energy Commission on December 15 gave public notice that the danger area, described below, surrounding Eniwetok Atoll will continue to exist until further notice. The danger area was previously prescribed for a period beginning January 31, 1948, to continue throughout the calendar year 1948. Eniwetok Atoll is the site of the Commission's proving ground for routine experiments and tests of atomic weapons.

The area designated as a danger area is bounded as follows:

Beginning with a point at 10°15' north latitude and 160°35' east longitude, north along the meridian of 160°35' east longitude, to a point at 12°45' north latitude, 160°35' east longitude thence east along the parallel of 12°45' north latitude to a point at 12°45' north latitude and 163°55' east longitude, thence south along the meridian of 163°55' east longitude to a point at 10°15' north latitude and 163°55' east longitude thence west to the point of beginning.

Notice of the continued designation of the danger area is being made in air and marine navigational notices.

THE DEPARTMENT

Termination of Advisory Committee on Occupied Areas Affairs

The Advisory Committee for Occupied Areas Affairs (Oac) has been abolished. Information to interested agencies on occupied areas matters and coordination of their advice on the formulation of policy in occupied areas continues to be the responsibility of the Department of State. These relations are maintained through the office of the Assistant Secretary for occupied areas and through the regular liaison channels between departments.

THE FOREIGN SERVICE

Consular Offices

The American Consulate at Bristol, England, was closed to the public on November 30, 1948.

Until further notice the former Bristol consular district will be divided as follows: Somersetshire to Cardiff; Wiltshire and Berkshire to Southampton; Gloucestershire to Birmingham.

December 26, 1948

PUBLICATIONS

Department of State

For sale by the Superintendent of Documents, Government Printing Office, Washington 25, D.C. Address requests direct to the Superintendent of Documents, except in the case of free publications, which may be obtained from the Department of State.

Shipping: Arrangements and Recommendations of United Maritime Executive Board. Treaties and Other International Acts Series 1723. Pub. 3124. 6 pp. 5¢.

Agreement Between the United States and Other Governments—Dated at London February 11, 1946; entered into force March 3, 1946.

Trade: Application of Most-Favored-Nation Treatment to Areas Under Occupation or Control. Treaties and Other International Acts Series 1829. Pub. 3231. 5 pp. 5¢.

Agreement Between the United States and Italy—Effected by exchange of notes signed at Rome June 28, 1948; entered into force June 28, 1948.

Trade: Application of Most-Favored-Nation Treatment to Areas Under Occupation or Control. Treaties and Other International Acts Series 1835. Pub. 3233. 4 pp. 5¢.

Agreement Between the United States and the United Kingdom of Great Britain and Northern Ireland—Effected by exchange of notes signed at London July 6, 1948; entered into force July 6, 1948.

Claims Resulting From Activities of United Military Forces in China. Treaties and Other International Acts Series 1776. Pub. 3258. 10 pp. 5¢.

Agreement Between the United States and China—Effected by exchange of notes dated at Nanking October 13, 1947, and March 17, 1948; entered into force March 17, 1948.

American Dead in World War II. Treaties and Other International Acts Series 1777. Pub. 3259. 6 pp. 5¢.

Agreement Between the United States and the Netherlands—Effected by exchange of notes signed at The Hague April 11, 1947; entered into force April 11, 1947.

Germany: Distribution of Reparation, Establishment of Inter-Allied Reparation Agency, Restitution of Monetary Gold. Treaties and Other International Acts Series 1797. Pub. 3289. 8 pp. 5¢.

Protocol Between the United States and Other Governments apportioning shares between India and Pakistan under the Agreement of January 14, 1946—Signed at Brussels March 15, 1948; effective from January 24, 1946.

Reciprocal Trade: Quantitative Import Restrictions and Deferment of Payments. Treaties and Other International Acts Series 1800. Pub. 3293. 2 pp. 5¢.

Agreement Between the United States and Sweden extending agreement of June 24, 1947, as modified, after June 30, 1948—Effected by exchange of memorandums dated at Washington June 12, 1948; entered into force June 12, 1948.

Trade: Application of Most-Favored-Nation Treatment to Areas Under Occupation or Control. Treaties and Other International Acts Series 1820. Pub. 3330. 4 pp. 5¢.

Agreement Between the United States and Austria—Effected by exchange of notes signed at Vienna July 2, 1948; entered into force July 2, 1948.

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Contributors

Michael J. Shortley, author of the article on the First Inter-American Conference on Rehabilitation of the Crippled and Disabled, is Director of the Office of Vocational Rehabilitation, Federal Security Agency.

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1948

The Department of State

bulletin

VOLUME XIX: Numbers 470-495

July 4-December 26, 1948

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Corrections in Volume XIX

The Editor of the BULLETIN wishes to call attention to the following discrepancies that occurred in printing telegraphic items from the General Assembly in Paris:

In the issue of December 12, 1948, page 728, third paragraph:

In "The United States in the United Nations", it is stated that the United Nations Temporary Commission on Korea "will continue to seek means for bringing about the unification of Korea and the integration of all Korean security forces." The text of the resolution establishing a new Commission states that this Commission will "continue the work of the Temporary Commission" but further that the new Commission "Shall be regarded as having superseded the Temporary Commission." (See BULLETIN of December 19, 1948, page 760.)

In the issue of December 19, 1948, page 760:

A text of the joint resolution for the new Commission on Korea is here printed. That text was amended to include the Canadian amendment (U. N. doc. A/806, December 12, 1948), a paragraph of which reads as follows:

"In paragraph 4, delete the words 'consisting of the same Member States which composed the United Nations Temporary Commission on Korea' and substitute therefor the words 'consisting of the following States: Australia, China, El Salvador, France, India, the Philippines, Syria.'"

The footnote on the same page should read as follows:

² Introduced by the U. S., China, and Australia in Committee I on Dec. 6, 1948, and adopted by the General Assembly on Dec. 12, 1948, after amendment. The text of the documents is contained in U. N. docs. A/788 and A/806.

In the same issue, page 752:

The footnote relating to the Universal Declaration of Human Rights should read:

² Approved by Committee III on Dec. 7, 1948, and by the General Assembly on Dec. 10, 1948.

In the same issue, page 763:

It is stated in "The United States in the United Nations", fifth paragraph, left-hand column, that the Conciliation Commission "will take over the work of acting Palestine mediator Bunche". The resolution states precisely that the Conciliation Commission shall "... assume insofar as it considers necessary in existing circumstances, the functions given to the U. N. Mediator on Palestine by the resolution of the General Assembly of 14 May 1948". (See the issue of December 12, 1948, page 726, and General Assembly modifications printed in the issue of December 26, 1948, page 793. See also U. N. doc. A/807, December 20, 1948.)

Two other corrections in this volume should be noted *In the issue of November 14, 1948, page 613, footnote 3:*

The date of the document (U. N. doc. S/1045) should read Oct. 19, 1948, rather than Oct. 19, 1945.

In the issue of December 19, 1948, page 767:

The heading "IRO Preparatory Commission: Seventh Session" should read "IRO Preparatory Commission: Seventh Part of First Session".

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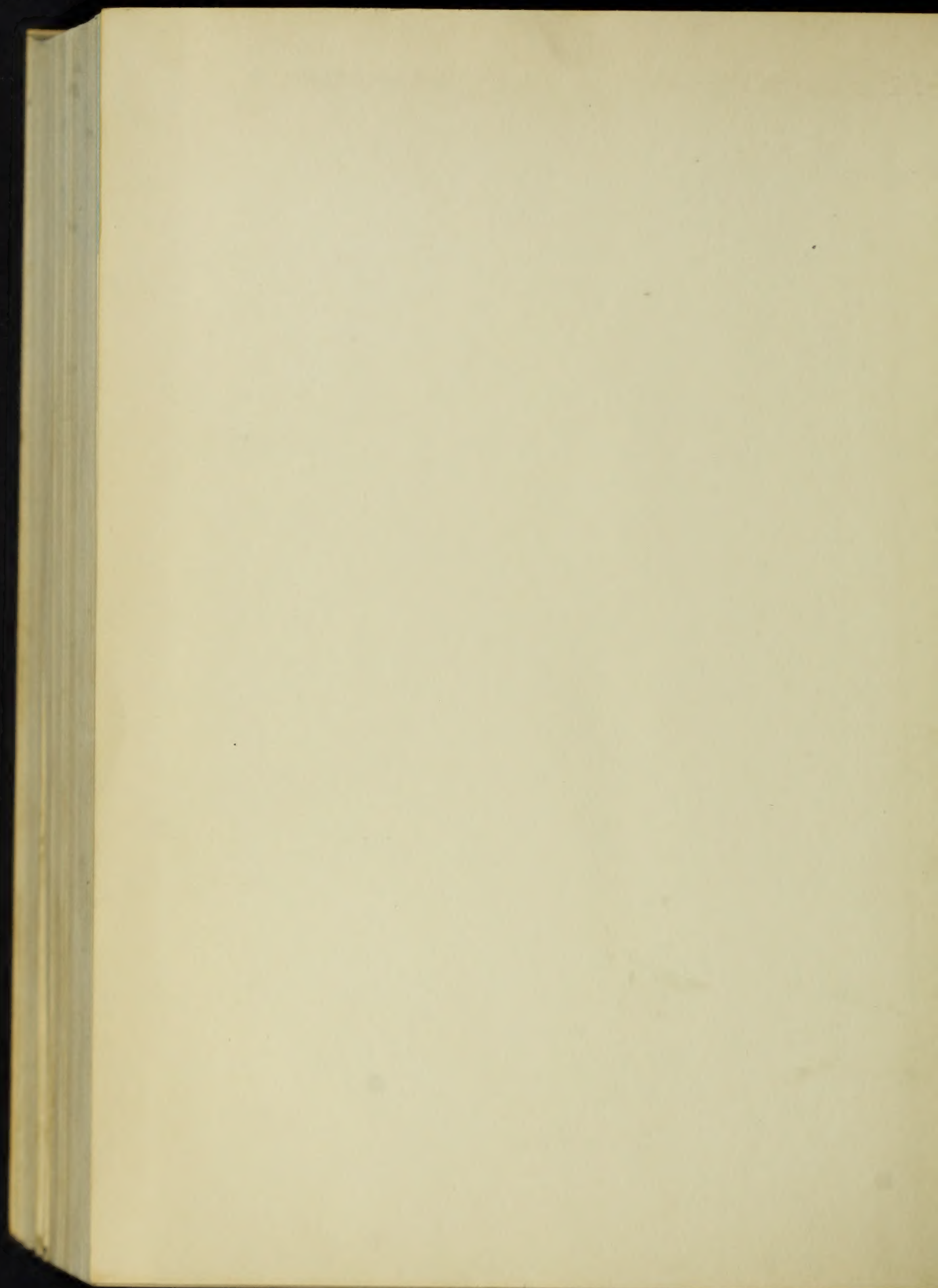
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